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U. S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE.

HENRY S. GRAVES, Forester.

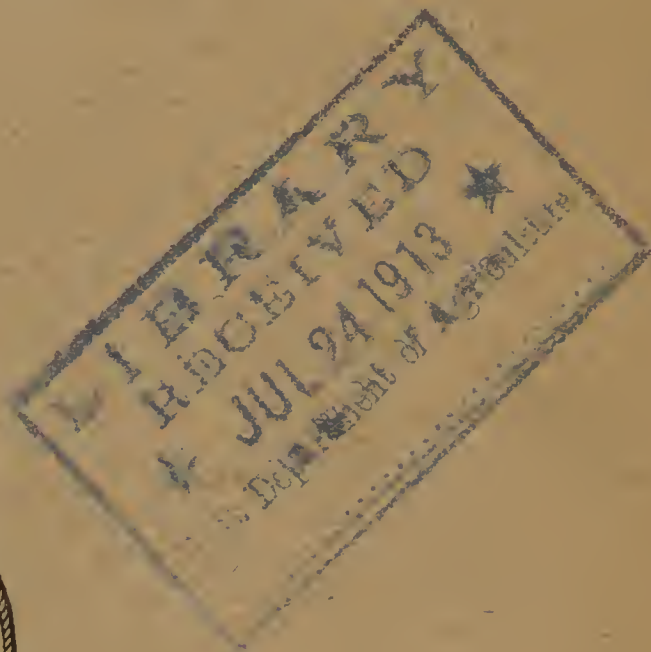
THE NATIONAL FOREST MANUAL.

REGULATIONS OF THE SECRETARY OF
AGRICULTURE AND INSTRUCTIONS TO FOREST OFFICERS
RELATING TO AND GOVERNING THE GRAZING OF
LIVE STOCK UPON NATIONAL FOREST LANDS.

REVISED EDITION.

ISSUED BY THE SECRETARY OF AGRICULTURE
TO TAKE EFFECT MAY 1, 1913.

GRAZING.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
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The Secretary * * * may make such rules and regulations * * * as will insure the objects of said reservations, namely, to regulate their occupancy and use and to preserve the forests thereon from destruction; and any violation of this act or such rules and regulations shall be punished (by \$500 fine or 12 months' imprisonment, or both) as is provided for in the act of June 4, 1888, amending section 5388 of the Revised Statutes of the United States. (Act of June 4, 1897, 30 Stat., 11.)

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UNITED STATES DEPARTMENT OF AGRICULTURE,

OFFICE OF THE SECRETARY,

WASHINGTON, D. C.

By virtue of the authority vested in the Secretary of Agriculture by the act of Congress of February 1, 1905 (33 Stat., 628), amendatory of the act of Congress of June 4, 1897 (30 Stat., 11), I, D. F. Houston, Secretary of Agriculture, do make and publish the following regulations for grazing upon National Forest lands, the same to supersede all previous regulations for like purposes and to be in force and effect from the 1st day of May, 1913, and to constitute a part of the Use Book and National Forest Manual.

In testimony whereof I have hereunto set my hand and official seal, at Washington, D. C., this 25th day of April, 1913.

D. F. HOUSTON,
Secretary of Agriculture.

THE NATIONAL FOREST MANUAL.

GRAZING.

The Secretary of Agriculture has authority to permit, regulate, or prohibit grazing in the National Forests. Under his direction the Forest Service will allow the use of the forage crop as fully as the proper care and protection of the forests and the water supply permit. The cattle and sheep which are grazed in the National Forests bear an important relation to the supply of beef and mutton in this country, and every effort will be made by forest officers to promote the fullest possible use of the grazing resources. The utilization of forage grasses and plants also reduces the fire danger and helps to protect the Forests. In new National Forests, where the live-stock industry is of special importance, full grazing privileges will be given at first, and if reduction in number is afterwards found necessary stockmen will be given ample opportunity to adjust their business to the new conditions. Every effort will be made to distribute the stock satisfactorily on the range, in order to secure greater harmony among the users of the Forests, to reduce the waste of forage by tramping in unnecessary movement of stock, and to obtain a more permanent, judicious, and profitable use of the range.

The leading objects of the grazing regulations are:

The protection and conservative use of all National Forest land adapted for grazing.

The permanent good of the live-stock industry through proper care and improvement of the grazing lands.

The protection of the settler and home builder against unfair competition in the use of the range.

It is expected that the stock owners will earnestly cooperate in carrying out the regulations.

There is no law which gives an individual or corporation the right to graze stock upon National Forests lands, and the grazing use of such lands may be allowed by the Secretary of Agriculture only as a personal and nontransferable privilege. This privilege is a temporary one, allowable under the law only when it does not interfere with the purposes for which the National Forests are created. It is nontransferable because it is based upon the possession of certain qualifications peculiar to the permittee.

By long use of the public lands of the United States for grazing purposes, stock owners have been suffered to graze their stock upon such lands under certain conditions of occupancy, residence, and ownership of improved land or water rights. This use, continued throughout a long period of years, has in the absence of congressional legislation been commonly accepted in many communities, even receiving the recognition of certain of the courts. It is, however, allowed only by passive consent of the United States. By force of

the presidential proclamation creating a National Forest, such passive consent ceases and is superseded by definite regulations by the Secretary of Agriculture prescribed under the authority of Congress. Grazing stock upon the forests, except in accordance with these regulations, is trespass against the United States.

Permits will be issued to graze a certain number of live stock in each National Forest, or part thereof, so long as no damage is done by such stock. A reduction will be made from the number of stock grazed during the previous season if, owing to the number grazed or the method of handling the stock, damage is being done to the Forest, and in extreme cases all stock will be excluded.

Permits will usually be granted for one year, but where all controversies have been settled and proper numbers of stock are allowed, the Secretary of Agriculture will authorize the approval of applications for periods of not more than five years, with the understanding that all permits are terminable at any time and that the renewal of permits will be within his discretion.

All grazing permits are issued upon a charge per capita basis, as there are several reasons why the use of National Forest ranges under an acreage lease system is impracticable. It would greatly increase the difficulty of proper silvical development, prevent a proper use of ranges under abnormal natural conditions, and tend to exclude the smallest owners. Adequate protection of the Forest would be rendered difficult if not impossible because a lease even though filled with careful restrictions would give the lessee some right to dictate the use to which the area would be put. During the tenure of the lease no part of the tract could be closed to grazing even though the necessity was urgent to prevent the destruction of seedlings, to secure reproduction on cut-over or burned areas, or to protect important watersheds. The privilege would be a fixed instead of a flexible one, and if during the period forage was destroyed by fire, insects, or other cause the stock would have to be removed from the Forest instead of being transferred temporarily to another range. The leasing system would practically result in a number of individual allotments equal to the number of permittees and this would tend to shut out the small owner because he could not afford to hold his stock upon the small area to which he would be entitled. Fencing of the leased areas would necessitate leases for a term of years, and term leases would not only hamper forest management, but also preclude recognition of new applicants who might be entitled to range.

The majority of the National Forest users are small owners who prefer the right to graze a fixed number of stock rather than the right to use a specified range, with a maximum but no minimum limit.

GRAZING REGULATIONS.

AUTHORIZATIONS.

Reg. G-1. The Secretary of Agriculture will prescribe each year the number of stock to be allowed in each National Forest, and will authorize the approval of applications for permits during periods of one or more years, but revocable at any time within his discretion. The yearlong grazing fee to be charged for each class of stock will be determined by the Forester in accordance with regulation G-9. Seasons less than yearlong will be established by the district forester, who

will determine the fees to be charged for each short season in accordance with the established schedule and the provisions of regulation G-9. When notified of the establishment of grazing allowances and yearlong rates for any National Forest, the district forester will establish and fix the rates for all grazing periods less than yearlong and will transmit instructions to the supervisor, who will issue grazing permits in accordance therewith. Fifteen days may be added to the grazing period, in the discretion of the supervisor, without charge.

DISTRICTS AND DIVISIONS.

Reg. G-2. The grazing of sheep and goats upon any portion of a Forest must not be allowed until authorized by the Forester. This authorization secured, the kind of stock to be grazed in each district open to grazing on the Forests will be determined by the district forester. Under his general instructions, National Forests in which grazing is allowed will be divided into districts by the supervisor, who will provide for the distribution of stock among the districts, and make such range divisions among applicants for grazing permits as appear most equitable and for the best interests of the National Forest and its users. When required for the protection of camping places, lakes and streams, roads and trails, etc., or of areas which are to be reforested, the supervisor may exclude stock from specified areas for such period of time as is necessary. Stock will be excluded from areas where they will destroy young growth or will prevent reproduction.

ADVISORY BOARDS.

Reg. G-3. Whenever any live-stock association whose membership includes a majority of the owners of any class of live stock using a National Forest or portion thereof shall select a committee, an agreement on the part of which shall be binding upon the association, such committee, upon application to the district forester, may be recognized as an advisory board for the association, and shall then be entitled to receive notice of proposed action and have an opportunity to be heard by the local forest officer in reference to increase or decrease in the number of stock to be allowed for any year, the division of the range between the different classes of stock or their owners, or the adoption of special rules to meet local conditions.

Upon request from and with the approval of an officially recognized advisory board representing a majority of the permittees to be affected, the district forester may establish special rules to regulate the use and occupancy of the range and to prevent damage to the forest lands, such rules to be binding upon and observed by all permittees grazing stock within the range involved. Such conditions as may be necessary may be imposed upon the handling of permitted stock, the employment of herders to confine the stock to the allotted ranges, the distribution of salt, the enforcement of State live-stock laws and the construction of permanent improvements to protect the Forest or facilitate the handling of permitted stock.

When an association represents only a minority of the owners of any kind of live stock, but its members own 75 per cent of that kind of live stock using the range, upon petition of a sufficient number of the other owners to constitute a majority its advisory board may be recognized by the district forester.

Whenever a State live-stock association appoints an advisory board, it may be recognized by the district forester and consulted with in regard to matters which affect the general administration of the National Forests within the entire State.

Whenever a national live-stock association, representing the owners of any kind of stock, appoints an advisory board or committee representing the users of the National Forests in all of the different States, it will be recognized by the Secretary of Agriculture and the Forester and consulted with annually regarding matters which concern the welfare of the stockmen using the National Forest ranges.

PERMANENT IMPROVEMENTS.

Reg. G-4. Live-stock associations which have received official recognition from the Forest Service may be granted permits to construct, upon the ranges occupied by their members, corrals, drift and division fences, roads, trails, sources of water supply, and other forms of permanent improvement designed to protect the forest lands or to facilitate the handling of permitted stock. In cases where the total cost of construction is met by the association, no part being contributed by the Government, the district forester may, in his discretion, stipulate and agree in the permit that during a period of ten years following the construction of an improvement, all permittees who are allowed to place stock upon the range controlled or benefited by the improvement will be required to pay into the treasury of the association an amount equal to their pro rata share of the cost of constructing the improvement, provided that the improvement has been and is being maintained in serviceable condition by the association. The initial pro rata charge will be determined by dividing the amount expended by the full number of stock which may be grazed upon the range controlled or directly benefited by the improvement, but a reduction of 10 per cent of the original amount, to cover benefit and depreciation, will be made during each of the nine succeeding years, and after the tenth year the improvement will become the property of the Government. Stock which is exempted from permit by the regulations will not be subject to assessment under this rule.

STOCK EXEMPT FROM PERMIT.

Reg. G-5. All persons must secure permits before grazing any stock in a National Forest, except for the few head in actual use by prospectors, campers, and travelers, or saddle, pack, and work animals actually used in connection with permitted operations on the National Forests, and milch or work animals not exceeding a total of 10 head owned and in use by bona fide settlers residing in or near a National Forest, which require no permit.

ON-AND-OFF PERMITS.

Reg. G-6. Persons owning stock which regularly graze on ranges only partially included within a National Forest, or upon range which includes private land of unknown ownership, may be granted permits for such portions of their stock as the circumstances appear to justify, but may be required so to herd or handle their stock as to prevent trespassing by that portion for which a permit is not granted.

PRIVATE LANDS.

Reg. G-7. Persons who own, or who have leased from the owners, unfenced lands within any National Forest which are so situated and of such character that they may be used by other permitted stock to an extent rendering the exchange advantageous to the Government, may secure permits allowing them to graze upon National Forest land, free of charge, the number of stock which the private lands will support, by waiving the right to the exclusive use of the private land and allowing it to remain open to other stock grazed on National Forest land under permit.

The application must be accompanied by a personal certificate of title showing the description and ownership of the land, and, if leased from an owner, a copy of the lease, and must state the number and kind of stock permit is desired for, the range which it is desired to occupy, and the period during which the stock will remain upon the Forest. Permits will be subject to the same restrictions regarding the use of the range as permits issued under other regulations.

CROSSING PERMITS.

Reg. G-8. Persons wishing to drive stock across any portion of a National Forest to reach either public or private lands, except when the stock will be driven along a public highway or will not be grazed upon National Forest lands, must make application to the supervisor or other forest officer for a permit to graze the stock en route and must have a permit from the supervisor, or such other forest officer as he may designate, before entering the National Forest. The application must state the number of stock to be driven, the date of starting, and period required for passage. Grazing must be confined to the limits and along the route designated by the forest officers, and will only be allowed for the period necessary for stock to cross the National Forest.

FEES.

Reg. G-9. A reasonable fee will be charged for grazing all kinds of live stock on National Forests, except as otherwise provided in these regulations. The rates will be based upon the yearlong rate for cattle, which will be from 35 to 60 cents per head, depending upon the advantage and the locality of the Forest.

The yearlong rates for horses will be from 25 to 40 per cent more, and the yearlong rates for swine from 25 to 40 per cent less than the rate for cattle. On Forests where the quality of range and advantages for grazing cattle and sheep or goats are equal, the yearlong rate for sheep and goats will be 30 per cent of the yearlong rate for cattle, but where the above-mentioned conditions warrant it, this percentage may be departed from and the yearlong rates for sheep and goats fixed within the following limits: From 10 to 12 cents on Forests where the rate for cattle is 35 cents; from 12 to 14 cents on Forests where the rate for cattle is 40 cents; from 12 to 15 cents on Forests where the rate for cattle is 45 cents; from 14 to 16 cents on Forests where the rate for cattle is 50 cents; from 15 to 18 cents on Forests where the rate for cattle is 60 cents.

The rates for all kinds of stock for periods shorter than yearlong will be based upon a charge of one-ninth of the annual rate per month for periods of less than four months, or periods beginning between July 15 and October 15, or of one-tenth of the annual rate per month for periods of four months or over beginning between October 16 and July 14, provided that the rates on sheep, goats, and swine shall not be divided into fractional amounts of less than one-fourth of 1 cent, and the rates on cattle and horses shall not be divided into fractional amounts of less than 1 cent; and provided that the minimum rate for any short period shall not be less than 20 cents per head on cattle, 25 cents per head on horses, 12 cents per head on swine, or 5 cents per head on sheep or goats. An extra charge of 2 cents per head will be made for sheep or goats which are allowed to enter the National Forests for the purpose of lambing or kidding. No charge will be made for animals under 6 months of age at the time of entering the Forest, which are the natural increase of stock upon which fees are paid, or for those born during the season for which the permit is allowed.

PAYMENTS AND PERMITS.

Reg. G-10. All grazing fees are payable in advance. When an applicant for a grazing permit is notified by the supervisor that his application has been approved, he will remit the amount due for grazing fees to the district United States depository, and upon receipt of notice by the supervisor that payment has been made a permit will be issued allowing the stock to enter the Forest and remain during the period specified.

Persons who fail to pay the grazing fee before the beginning of the grazing period must notify the supervisor and give satisfactory reasons, or within the discretion of the supervisor may be denied a grazing permit the following season.

REFUNDS.

Reg. G-11. Grazing fees will not be refunded for nonuse of the permit except when, in the opinion of the district forester, the applicant is prevented from using the range by circumstances over which he has no control, or his range is trespassed upon, or renewal of permit is allowed to a purchaser of the stock.

NOTICE TO APPLICANTS.

Reg. G-12. When notice of the grazing allowance, periods and rates for each year has been received by the supervisor he will give public notice of a date on or before which all applications for grazing must be presented to him. Permits may be refused to persons who do not file their applications within the required time unless satisfactory reasons are given.

APPLICATIONS FOR PERMITS.

Reg. G-13. Applications for grazing permits must be submitted on blank forms which will be furnished by the supervisor and the information necessary to complete the application must be furnished in detail. The number of stock must not be greater than the number

the applicant actually owns or intends to purchase or less than the number he intends to graze upon the Forest. Speculation in the use of grazing permits will not be allowed, and permits will be refused or canceled for intentional false statement of the number of stock owned.

For all purposes of permanent allotment each member or stockholder of a firm or corporation will be considered as holding a permit to graze the full number of stock covered by any and all grazing permits issued to such firm or corporation. The individual permit of a person who acquires an interest in the permit of any firm or corporation will be subject to reduction in its renewal when the combined number of stock covered by all permits in which the person interested exceeds the maximum limit.

QUALIFICATIONS OF APPLICANTS.

Reg. G-14. Grazing permits will be issued only to persons entitled to share in the use of the range within National Forests by virtue of prior use and occupancy of National Forest lands for grazing purposes; or by local residence, ownership of improved ranch property within or near the Forest, and dependence upon the range; or by the acquisition of stock grazed upon National Forest lands under permit and of improved ranch property used in connection with the stock, under circumstances which warrant an entire or partial renewal of the permit issued to the former owner, except when there is a surplus range, in which case temporary permits may be issued to owners of transient stock, or to regular permittees for an increased number of stock.

Nonuse of a range during one year, except as authorized by the instructions of the Forester, will be sufficient grounds for the denial of grazing privileges.

PREFERENCES.

Reg. G-15. Citizens of the United States will be given preference in the use of the National Forests, but persons who are not citizens may be allowed grazing permits provided they are bona fide residents and owners of improved ranch property either within or adjacent to a National Forest.

Regular occupants of the range who own and reside upon improved ranch property in or near National Forests will be given first consideration, but will be limited to a number which will not exclude regular occupants who reside or whose stock are wintered at a greater distance from the National Forests. With this provision applicants for grazing permits will be given preference in the following order:

Class A: Persons owning and residing upon improved ranch property within or near a National Forest who are dependent upon the National Forest for range and who do not own more than the established protective limit number of stock.

Class B: Regular users of National Forest range who do not own improved ranch property within or near a National Forest, and persons owning such ranch property who own numbers of stock in excess of the established protective limits.

Class C: Persons who are not regular users of National Forest range and who do not own improved ranch property within or near a Na-

tional Forest. Class C applicants will not be granted permits upon Forests which are fully occupied by permittees of classes A and B.

Persons who have not regularly used the range within newly created National Forests during preceding years will not be allowed to place stock upon it for the purpose of establishing a grazing priority, unless they are bona fide settlers living either within or adjacent to the National Forest, who are entitled to share in the use of the range as class A applicants.

Permittees of classes B and C will not be allowed to increase the number of stock grazed under permit except by the purchase of other permitted stock under circumstances which warrant a renewal of the permit held by the original owner.

PROTECTIVE AND MAXIMUM LIMITS.

Reg. G-16. When necessary to secure an equitable distribution of grazing privileges, the district forester will establish protective limits covering the number of stock for which the permits of small class A owners will be exempt from reduction in their renewal. It will be within the discretion of the district forester to establish general protective limits applicable to the entire Forest or special protective limits for each grazing district, such limits to be based upon the character and intensity of the demand for grazing privileges within each district. Permits for numbers of stock in excess of the protective limits will be subject to necessary sliding scale or other reductions and will not be subject to increase in number except through purchase of stock and ranches of other permittees. (See Reg. G-18.)

When necessary to prevent monopoly of the range the district forester will establish maximum limits in the number of stock for which a permit will be issued to any one person, firm, or corporation. The maximum limit may, in the discretion of the district forester, be made applicable to a portion of a Forest, to an entire Forest, or to a group of contiguous Forests. Permits for numbers of stock in excess of the maximum limits will be issued only to persons who, during the preceding year, held permits to graze numbers of stock equal to or greater than that for which application is made. The district forester may suspend the maximum limit in special cases.

RENEWAL OF PERMITS.

Reg. G-17. Grazing permits will be renewed only when the grazing of the class of stock involved is authorized by the Secretary of Agriculture. A permit may be divided in its renewal because of division of stock and ranches between two or more owners or purchasers. Permits for numbers of stock in excess of the established protective limits will be subject to reduction in their renewal, and no division or sale of stock and ranches will exempt such permits from reduction.

PERMITS TO PURCHASERS OF PERMITTED STOCK.

Reg. G-18. Permits will be granted only for the exclusive use and benefit of the owners of the stock, and will be forfeited if sold or transferred in any manner or for any consideration. If stock grazed under permit is sold during the term of the permit the original permit must be surrendered to the supervisor, who upon receipt of evidence that

the sale is bona fide will cancel the original permit and will issue, free of charge, an amended permit to the original permittee for the number of stock retained and a permit to the purchaser for the number of stock purchased, which will allow the grazing of such stock upon the National Forest during the remainder of the permit period. Renewal of permit to the purchaser during subsequent years will be subject to the following restrictions:

The permittee from whom the stock is purchased must have used the range during three or more successive years, unless the initial permit was secured through the purchase of permitted stock, in which event a renewal of permit to a second purchaser may be allowed after the expiration of one year from the date of the permit issued to the first purchaser. The permittee selling the stock must execute an agreement waiving to the United States all claims to preference in the use of the forest land for the grazing of the number of stock transferred. The permit in its renewal will be subject to the maximum limit restrictions and to necessary reductions applicable to other permits of the same class and no division of stock and ranches will exempt such permits from reduction.

Subject to the foregoing restrictions, a renewal of permit for not to exceed 90 per cent of the stock purchased may be allowed the purchaser of stock grazed under permit and the ranches used in connection therewith, and provided that a full renewal will be allowed if the purchaser is a resident ranch owner who does not own a total of more than the protective limit number of stock. The mere purchase of stock grazed under permit will not entitle the purchaser to share in the grazing privilege, but if the purchaser is the owner of improved ranch property which is commensurate and used in connection with the permitted stock, a renewal of permit may be allowed for not to exceed 80 per cent of the stock purchased.

PERMITS TO NEW OWNERS.

Reg. G-19. Grazing applications other than for renewal of permit will not be approved if the average number of stock per permit upon the Forest or upon the grazing district where the stock are to be grazed is more than 20 per cent below the established protective limit number, or if the approval of such applications require a total reduction upon any permit of the preceding year of more than 10 per cent in the permit of an owner of improved ranch property commensurate with the permitted stock or more than 20 per cent in the permit of a person not owning such property. If a Forest or a grazing district is fully stocked the total number of stock to be distributed among new applicants and permittees below the protective limit during any one year must not exceed 3 per cent of the total number authorized for the year, and no new permit will be issued for more than one-half of the protective limit number; or, if the average number of stock per permit is less than the protective limit established for the Forests or the grazing district, no new permit will be issued for more than one-fourth of the protective limit number, nor will such permit be issued except for stock which will be fed during the winter from the products of the permittee's ranch.

Upon fully stocked Forests or grazing districts, applications other than for renewal of permit will not be considered unless filed with the supervisor six months before the beginning of the grazing season.

Persons who have sold their stock grazed under permit and signed a waiver to their preference will not be recognized as new applicants for a period of three years from the date of the waiver, except as purchasers of permitted stock.

CANCELLATION AND REVOCATION OF PERMITS.

Reg. G-20. Authority to cancel or revoke grazing permits is delegated to forest officers under the following conditions: Permits may be canceled by the issuing officer or his successor or official superior upon request, or with the consent of the permittee, if such cancellation is not detrimental to the best interests of the Government. Permits may be revoked for breach of the terms of the grazing application or permit or of the rules and regulations, provided that the breach thereof is clearly established after the permittee has been afforded a reasonable opportunity to show cause why the permit should not be revoked, and that the revocation of permit is approved by the district assistant to the solicitor, but they may be revoked only by an official superior of the issuing officer or in the following general order: Forest rangers' permits by the forest supervisor, forest supervisors' permits by the district forester, district foresters' permits by the Forester.

BONDS.

Reg. G-21. Whenever it is necessary for the protection of a National Forest, or of the interests dependent upon it, the supervisor may require the owners of transient stock, or nonresidents of the State or Territory in which the National Forest is located, or persons who have persistently violated the regulations of the Secretary of Agriculture to give good and sufficient bond to insure payment for all damage sustained by the Government through violation of the regulations or the terms of the permit.

SETTLEMENT OF CONTROVERSIES.

Reg. G-22. Whenever there is a dispute between grazing applicants for the same area the supervisor will notify them to appear before him at a stated time and place, to make a statement of their claims. After all evidence has been presented the supervisor will decide who shall be granted permits, and will forthwith notify each party to the dispute of his decision and his reasons therefor, which will be final unless written notice of appeal to the district forester is given within 10 days thereafter. Upon filing such notice 20 days will be allowed for preparation of the case for presentation to the district forester.

APPEALS.

Reg. G-23. The disapproval of an application for grazing privileges, the denial of an increase or the requirement of a reduction in the number of stock covered by a permit in its renewal, or the disapproval of a request for a certain range allotment by the supervisor shall be considered final unless written request for a reconsideration of the case is filed with the supervisor within 10 days from the date of the receipt of his decision. The decision of the supervisor after a reconsideration of the case shall be considered final unless written

notice of appeal to the district forester is filed with the supervisor within 10 days from the receipt of his decision. The decision of the district forester, under this or the foregoing regulation, shall be considered final unless written notice of appeal to the Forester is filed with the district forester within 10 days from the receipt of his decision. Appeal may also be taken to the Secretary of Agriculture from adverse decisions of the Forester and must be presented to the Secretary of Agriculture within 30 days from notice of the decision of the Forester. Appeal under this or the foregoing regulation to the district forester, the Forester, or the Secretary of Agriculture will avail only when it is shown by the evidence submitted that the decision is not warranted by the facts or is contrary to the grazing regulations or the instructions covering the allotment of grazing privileges.

COUNTING STOCK.

Reg. G-24. When an owner who has a permit is ready to drive in his stock, he must notify the nearest Forest the number to be driven in. If called upon to do so, he must provide for having his stock counted before entering a National Forest, or at any time afterwards when the number of stock appears to be greater than the number covered by permit. Whenever any stock is removed before the expiration of the permit, it can be replaced by other stock to fill out the number covered by permit if the forest officer is notified of such action at once.

DAMAGE TO ROADS, TRAILS, OR SPRINGS.

Reg. G-25. Each person or group of persons granted grazing permits must repair all damage to roads or trails caused by the presence of their stock in any portion of a National Forest, and build any new roads or trails found necessary for the proper handling of their stock. They must also fence any spring or seep which is being damaged by the tramping of their stock, and, if required by the supervisor, must pipe the water into troughs for watering stock. Such troughs must be open for public use.

BEDDING SHEEP AND GOATS.

Reg. G-26. Sheep and goats must not be bedded more than six nights in succession in the same place, except when bedding bands of ewes during the lambing season; and must not be bedded within 300 yards of any running or living spring, except in rare cases where this restriction is clearly impracticable.

DISPOSITION OF CARCASSES.

Reg. G-27. The carcasses of all animals which die on the National Forest from contagious or infectious diseases must be burned, and the carcasses of all animals which die in the close vicinity of water must be removed immediately, and buried or burned.

SALTING STOCK.

Reg. G-28. Whenever the forest officers require it, all stock grazed under permit must be salted regularly at such places and in such manner as they may designate.

QUARANTINE AND LOCAL LAWS.

Reg. G-29. All stock which is grazed under permit in, or allowed to cross, any National Forest will be required to conform to the quarantine regulations of the Secretary of Agriculture and all livestock laws of the State or Territory in which the National Forest is located. Forest officers will cooperate with State or Territorial officers, so far as they can without undue interference with their regular forest work, to enforce local laws for the protection of stock, and will promptly inform the State officials of all violations discovered.

PROTECTION OF GAME, FISH, AND BIRDS.

Reg. G-30. All forest officers will cooperate with State or Territorial officials, so far as they can without undue interference with their regular forest work, to enforce local laws for the protection of birds, fish, and game. When properly authorized to do so, they will act without additional pay as deputy game wardens with full power to enforce local laws, but may not accept any fees or rewards or parts of fines on account of the enforcement of State game laws. Forest officers and employees may, however, accept any bounties voluntarily offered by any State or county or any association or individual for the destruction of predatory wild animals.

INSTRUCTIONS TO FOREST OFFICERS.

U. S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D. C., April 30, 1913.

The following procedure and instructions are hereby established and issued to take effect May 1, 1913, governing the enforcement of the regulations of the Secretary of Agriculture relating to the grazing of live stock in the National Forests.

H. S. GRAVES,
Forester.

Part 1. GRAZING AUTHORIZATIONS.

(Authorizations—Districts and divisions—Advisory boards—Permanent improvements.)

AUTHORIZATIONS. (Reg. G-1.)

Annual Grazing Authorization.

The grazing of any class of stock upon any part of a National Forest is allowed under authority of the act of June 4, 1897, by the Secretary of Agriculture, whose regulations govern the use of public lands within the National Forests and are supreme, even though the State law is in conflict with them. When not in conflict with the Federal law, the State law is effective.

The Secretary of Agriculture prescribes the number and class of stock to be allowed upon each Forest and the schedule of grazing fees. The yearlong fees for each Forest within the limits prescribed by the Secretary of Agriculture are determined by the Forester to secure uniformity between different administrative districts. The short grazing periods and the accompanying fees are determined within the limits prescribed by the Secretary of Agriculture by the district forester to secure uniformity between different Forests in the same district.

Allowance Letters Effective Until Revoked.

All instructions in reference to the issuance of permits for any one year will remain in force during subsequent years unless revoked or superseded by other instructions.

Allowance Must Not Be Exceeded.

The total number of stock allowed under paid permit upon the Forest at any one time during the year must not exceed the number authorized by the Secretary of Agriculture under regulation G-1.

When the issuance of permits for different short periods causes the total number of stock covered by all permits issued during the year to exceed the number authorized an explanatory note should be added in making the annual report at the end of the fiscal year.

Stock Chargeable Against Allotment.

All stock upon which fees are paid are counted against the number of stock allowed upon a Forest by the Secretary of Agriculture.

Stock Not Chargeable Against Allotment.

Stock grazed free of charge under regulation G-5 or under regulation G-7, stock grazed under free permits issued on account of the sale and transfer of stock, regulation G-18, or under free crossing permits, regulation G-8, and stock under 6 months old at time of entry, which is the natural increase of stock covered by permit, are not chargeable against the allotment.

Allowances on New Forests or Additions.

Where Forests are created or additions made after the beginning of the grazing season the Secretary of Agriculture, except under unusual circumstances, will authorize the grazing use of the area free of charge and without permit until the beginning of the next grazing year by all persons who have regularly used the range during preceding years for any class of stock. If necessary for the proper control of grazing upon newly created Forests or upon new additions to the Forests, the supervisor may issue herders' identification cards to persons who show priority in the use of the range, retaining a record of each card.

Stock Census on New Additions.

During the first season a Forest or new addition is under administration, the supervisor should make an investigation to ascertain the names of the stockmen using the range and the number of each kind of stock they are grazing upon it, and any other information necessary for him to make proper recommendations in his annual forest plan in reference to grazing allowances, periods, rates, and the division of the range into grazing districts. This may be accomplished by sending to the rangers a list of all questions upon which the supervisor desires information.

Authorization of Term Applications.

On Forests where all controversies have been settled and conditions are such that under ordinary circumstances no material changes are likely to be made in ranges, grazing areas, or the number of stock allowed, the Secretary, upon petition by 25 per cent or more of the permittees using the National Forest or upon the recommendations of a recognized advisory board representing that percentage of permittees, approved by the forest supervisor and the district forester, will authorize the acceptance of applications for periods of not more than five years. A term of five years having been established, applications received after the first year will be approved for the unexpired portion of the five-year term, four, three, or two years, as the case may be. The permit will be issued annually, and the approval of the application for any part of the established term will only guarantee a renewal of permit from year to year during the period, in the event that grazing is authorized by the Secretary of Agriculture and there is no cancellation of the permit by the district forester.

Preparation of Allowance Letter.

Upon receipt in the district office of the supervisor's annual plan the grazing section will be referred to the office of grazing. The assistant district forester in charge will review the report of grazing

conditions and pass upon the recommendations. He will then prepare a memorandum to the Forester recommending the number of each class of stock to be authorized upon the Forest during the following season. A letter for the signature of the district forester to the supervisor will then be prepared giving detailed instructions for the handling of the grazing during the coming season and covering the following points:

1. The number of stock of each class authorized.
2. The grazing periods.
3. The grazing fees.
4. Allotment of stock.
5. Special points of policy or administration.
6. Instructions for advertising, by circulars, posters, and newspapers.

Two carbons of this letter undated and signed by the district forester and bearing a space for the Forester's approval, together with the district forester's memorandum and the original copy of the grazing section of the supervisor's annual forest plan, will be forwarded to the Forester, the signed original of the district forester's letter being held in a waiting file.

Approval Washington Office.

After its receipt in Washington and after the authorization for grazing has been signed by the Secretary of Agriculture and the year-long fees approved by the Forester, the district forester will be notified by wire and the approved carbon of his letter mailed to him. On receipt of the telegraphic approval he will date and mail his instructions to the supervisor after making the proper entries on the authorization record card (Form 404). If modifications of the district forester's letters are required he will be notified by letter and will change his instructions to the supervisor accordingly.

Grazing Chapter, Supervisor's Annual Forest Plan.

As a matter of convenience to the stockmen it is desirable to make public as soon as possible the number of stock that will be allowed to graze on the Forest the following season, the periods and the fees. Therefore, immediately after the close of the grazing season and not later than December 1, supervisors will submit the "Grazing" chapter of the annual forest plan in duplicate, forwarding it to the district forester without waiting for the completion of the rest of the plan. The following points will be covered:

PART ONE—ADMINISTRATION.

(1) General range conditions:

- a. Amount of rainfall as compared to previous years.....
- b. Amount of forage as compared to previous years.....
- c. Total numbers of stock grazed under permit. Number of permittees. Average number per permit.....
- d. Total numbers of stock grazed without permit. Number of owners.....
- e. General condition of the range at close of season.....
- f. Areas which were overgrazed and damaged.....
- g. Areas which were partially or wholly unutilized.....
- h. Condition of stock at time of entering and leaving Forest.....
- i. Market conditions, weights, and sales of stock.....
- j. Matters of general interest concerning welfare of live-stock industry as affected by administration of Forest.....

- (2) Range divisions:
 - a. Proposed changes in boundaries of grazing districts.....
 - b. Proposed division of range between different kinds of stock.....
 - c. Areas to be closed against sheep, goats, cattle, horses, or swine for the protection of watersheds, natural refuges or breeding grounds of game, or camping grounds, or to prevent damage to the Forest.....
 - d. Areas to be set aside for lambing grounds.....
 - e. Establishment of driveways and restrictions in their use.....
- (3) Estimate of grazing capacity, distribution of stock, grazing periods:
 - a. Estimate by districts of the grazing capacity of forest lands, on basis of stock over 6 months old but considering range required for natural increase of that stock.....
 - b. Proposed distribution of stock on range. Reasons for changes in numbers to be allowed on each division.....
 - c. Character, area, and grazing capacity of unused range available for new applicants.....
 - d. Established grazing periods. Changes required. Reasons therefor.....
- (4) Permit allotment:
 - a. General plan to govern approval of applications.....
 - b. Protective and maximum limits.....
 - c. Proposed sliding-scale increases or reductions.....
 - d. Proposed action upon applications of new owners.....
- (5) Enforcement of protective regulations:
 - a. Quarantine regulations; enforced; to be enforced; required.....
 - b. Counting stock. Methods followed. Results. Proposed.....
 - c. Special restrictions in handling stock. Results. Proposed.....
 - d. Areas closed to grazing to protect reproduction.....
- (6) Live stock associations:
 - a. Number recognized; degree of cooperation.....
 - b. Methods used in settling controversies and adjusting range disputes.....
- (7) Game protection:
 - a. Conditions in existing State or Federal game refuges or preserves, or in breeding grounds closed to grazing.....
 - b. Enforcement of game laws by forest officers.....
- (8) Summary of recommendations:
 - a. Number of each kind of stock to be allowed.....
 - b. Grazing periods and fees recommended.....
 - c. Initiation; continuance or abandonment of term permits.....
 - d. Range divisions and distribution of stock recommended.....
 - e. Miscellaneous matters.....

PART TWO—PROTECTION AND DEVELOPMENT.

- (1) Grazing reconnaissance:
 - a. Required. Reasons why.....
 - b. Accomplished. Results obtained.....
 - c. Planned. Methods proposed.....
- (2) Losses of live stock, from—
 - a. Disease. Remedial measures taken. Required.....
 - b. Poisonous plants. Remedial measures taken. Required.....
 - c. Predatory animals. Remedial measures taken. Required.....
- (3) Prairie dogs and other range-destroying rodents:
 - a. Approximate area infested; need for extermination.....
 - b. Exterminative work accomplished and proposed.....
- (4) Water development:
 - a. Area, location, and grazing capacity of range not utilized because of lack of water.....
 - b. Water developments completed during year. Area and carrying capacity of range made available.....
 - c. Water developments planned for coming year.....
- (5) Permanent improvements:
 - a. Brief résumé of range improvements constructed, and benefits.....
 - b. Brief résumé of permanent range improvements required.....
- (6) Damage to forest reproduction:
 - a. Extent of damage.....
 - b. Preventive measures adopted. Planned.....

- (7) Revegetation of depleted ranges:
 - a. Extent of areas requiring reseeding.....
 - b. Methods to be followed; natural, artificial.....
 - c. Areas upon which an improvement in forage conditions has been secured:
 - (1) By natural reseeding, (2) by artificial reseeding.....
- (8) Herbarium:
 - a. Need for collection of principal herbaceous plants.....
 - b. Number of plants collected.....
 - c. Number of plants identified.....
 - d. Number of specimens in office herbarium.....
- (9) Improvements in methods of handling stock:
 - a. Required.....
 - b. Adopted during the year. Results secured.....
 - c. Planned.....
- (10) Investigative projects:
 - a. Special studies on preceding subjects recommended for consideration by the district investigative committee.....

Grazing Estimate to be Based upon Normal Conditions.

Since the Secretary of Agriculture's authorization is based upon the supervisor's estimate of the grazing capacity of his Forest, the estimate should be carefully prepared. The first step should be to divide the entire range among the different classes of stock. Having ascertained the area of range available for each class of stock, the number it will support will be determined. This estimate should, so far as possible, be based upon the normal condition of the range and should not be varied from year to year to meet departures from normal, except as a measure of forest protection. Increased capacity due to natural conditions known to be abnormal should not be accepted as grounds for increases in the numbers of stock. The allotment should in every case be low enough to prevent damage to the Forest.

Land Included in Estimate.

The carrying capacity of all Government lands within the National Forests not otherwise reserved or closed to grazing for protective purposes, unsurveyed school sections, and unsurveyed lands within both the primary and the indemnity limits of railroad grants should be considered in the estimate.

Lands not Considered in Estimate.

In preparing estimates the supervisor will not consider the carrying capacity of the following classes of land:

- Patented lands of any character.
- Subsisting mining locations.
- Entries under United States land laws.
- Indian allotments.
- State lands granted or selected under acts of Congress.
- Surveyed and selected railroad lands within either the primary or indemnity limits or other selections provided for by law.
- Subsisting squatter's claims.

Points to Consider in Fixing Grazing Periods.

Grazing periods will be established for each National Forest to meet the general needs of the people and to secure an economical use of the forage. An endeavor is made to make them meet local conditions and to allow grazing when the particular range in question can be used to the best advantage without injury to the Forest. It is

inadvisable to hold stock on winter range or in feed lots after the range within a Forest is ready for use, but it is decidedly unwise to allow stock on forest ranges before the feed has started, or while the range is so wet that the stock will cause injury to both forage and tree growth. The condition of the range rather than the desires of the applicants must determine the period. Supervisors should endeavor to recommend seasons which secure the best use of the range without damage.

Special Seasons.

When grazing periods have been fixed by the Forester or the district forester, stockmen will be required to secure permit and pay the fee for the full period. Special seasons can be allowed only in cases where the circumstances render such action absolutely necessary. For example, if a certain range will support 10,000 head of sheep from June 1 to October 31, the issuance of a permit to graze 10,000 sheep from July 1 to September 30 means a loss of forage values, a loss of revenue to the Government, and a loss of opportunity by others than the permittees to put stock on the range.

Monthly Permits.

Monthly permits will be authorized only for winter grazing where special conditions warrant it. Despite the fact that they may be more convenient for the permittees, there are several factors which render the general issuance of permits on a monthly basis impracticable from an administrative viewpoint. The first is that the practice will result in a disregard of the periods of use to which the ranges are naturally adapted, with consequent incomplete utilization, alternate understocking and overstocking, loss of range capacity, loss of control, and loss of revenue. Another objectionable feature of the monthly permit system is that it would require each ranger to keep account of the dates upon which each permit began and ended, and each supervisor to maintain a similar record. Such permits would necessarily be subject to extension and additional payments would be required. For these reasons special seasons will not be allowed unless demanded by exceptional conditions.

Winter Ranges.

Winter ranges should not be allotted for use during the summer if such action will prevent their proper use during the winter by settlers residing in or near the Forest who are dependent upon such ranges for wintering their stock. A range which can not be used during the summer season, but forms a part of the winter range, can not be classified as an unused range in the sense that term is used when supervisors are authorized to allow permits for increased numbers of stock contingent upon the development of unused ranges by the creation of new sources of water supply, etc.

DISTRICTS AND DIVISIONS. (Reg. G-2.)

Best Use of Each Class of Range.

The ranges within the National Forests should be used by the kind of stock for which they are best adapted, except when this would not be consistent with the welfare of the local residents or the proper protection of the forests. When an application is received for a kind of stock not previously allowed to graze upon a range, the supervisor

should determine, first, whether the change can be made without injury to the Forest or the flow of streams; second, to which class of stock the range is best adapted; and, third, whether the change will be detrimental to the interests of the people residing in the vicinity of the range. The change will be made by the district forester only when all three conditions are favorable and the Forester has authorized the use of the area by the kind of stock involved.

Grazing Districts.

For convenience of administration Forests will be divided into grazing districts. A typical Forest, with an area of 1,000,000 acres, should usually be divided into from four to six districts, which may be natural grazing units, natural administrative units, or parts of the Forest used by different classes of stock growers or different classes of stock. Wherever possible they will coincide with the lines of the administrative districts.

Grazing Divisions.

The grazing districts should also be divided into grazing divisions, which should be natural grazing units defined by topographic boundaries, with their limits determined largely by the class of stock which is to use them. Cattle and horses ordinarily graze both ways from a stream, but seldom cross the summits of the surrounding ridges. Sheep and goats ordinarily graze the crest and slopes of a ridge or mountain, but will cross none but shallow streams except on bridges. This should be kept in mind in fixing range boundary lines. Divisions, being smaller than a district, should usually be for the use of one class of stock and should be designated by well-known local names, such as "Mormon Lake Division." These range divisions may, where advisable, be divided into individual ranges.

Grazing Subdivisions.

Range divisions set aside for the grazing of cattle may be subdivided into smaller units for the grazing of dairy cattle, stock cattle, and steers. The separation of these three classes of cattle is beneficial to the stock and to the range; consequently, it should be encouraged in every instance where the stock can be confined to the allotted ranges without excessive cost or deterioration. When separate ranges have been established for dairy, breeding, and beef stock, range allotments will be made in accordance with the character of the stock covered by permit, and each permittee will be required to confine his stock to his allotted range.

Individual Range Allotments.

Cattle and horses will be allotted individual ranges only when topographic conditions and methods of handling make it practicable, but sheep and goats will be allotted individual ranges in every case, unless unusual circumstances prevent. The confinement of cattle or horses to individual ranges in a flat country would, of course, necessitate constant riding and increase the cost of handling and is therefore inadvisable. When cattle and horses are assigned individual ranges, the permittees will be required to make a reasonable effort to keep their stock within the limits of their range divisions.

The manner in which sheep and goats are handled makes individual allotments both practicable and desirable. The mixing of herds and the consequent loss of lambs are avoided, and each permittee is encouraged to improve range conditions by better methods

of handling his stock. The lines of individual sheep allotments should be as clearly defined as possible, and every effort should be made to have them thoroughly understood by the herders and camp tenders immediately after the sheep enter the range. A full description should be written in or on the back of the permit, and the boundaries should be marked where practicable with posters (Form 222.) When range conditions are fairly well settled the practice of furnishing each permittee with a copy of a map showing his own and the surrounding ranges is an excellent one. In making individual range allotments the number of cattle and horses which will stray upon them must be considered and proper allowance made for this excess.

Lambing Grounds.

Early ranges suitable for the lambing of sheep and necessarily used for that purpose should be protected from overgrazing and injury during the remainder of the grazing season. Moderate grazing may be allowed prior to the close of the season, but continuous use throughout the entire summer period should be prohibited.

Driveways Established by District Forester.

Whenever it appears necessary for stock to cross regularly any portion of a National Forest the supervisor will report the fact, with a description of the regular route traveled, the width of driveway necessary to allow the proper grazing of stock en route, the number and class of stock which will probably cross, and the number of days required for crossing.

Upon receipt of such a report, if the circumstances warrant, and grazing upon the area of the kind of stock involved has been authorized by the Forester, the district forester will establish the driveway and define the privileges to be granted.

Permits will be required for stock crossing the Forest on a regular driveway. (See "Crossing permits," p. 41.)

The driveway should be as short, as easy of passage and access as the character of the country will permit. It should also be established with care for the interests of permittees using adjoining ranges, and it is most important that it should be clearly marked with posters along the exterior limits, as suits and prosecutions for straying therefrom can not easily be maintained in the absence of such notices.

EXCLUSION OF STOCK.

General Procedure.

When it becomes necessary to prohibit all grazing on an area of such an extent as to necessitate a reduction of the number of stock allowed on the Forest for the purpose of forest protection, to protect the water supply of a community, or for other reasons, the supervisor should request an investigation from the district office. If it is found necessary, the supervisor, with the district forester's approval, will take the action. Where action of this sort can not be effected by a shift in ranges, but will result in a cut in the number allowed a permittee or in the entire exclusion of his stock, copies of the letters rejecting the application or amending a permit will be sent to the district office with necessary explanations in order that the district forester may be in a position to answer complaints. Where the cancellation of a permit is entailed, the district forester

will take the action. Except in emergency cases, closures should be made to take effect at the beginning of the grazing season and outstanding permits allowed to stand through the period granted.

Forest Protection.

It is within the authority of the supervisor to close an area to all grazing, to reduce the number of stock allowed upon it, or to prohibit its use by certain classes of stock when the silvicultural needs of the Forest demand it. For instance, sheep may be excluded from a timber-sale area for a certain number of years after cutting; or, in a year of scarcity of mast, hogs (otherwise permitted) may be excluded from the oak type. Where planting operations are being carried on, it will usually be necessary to exclude all classes of stock.

If silvical investigations show that grazing is responsible for the scantiness or lack of reproduction over a considerable area, a portion of it may be withdrawn from range use until young growth has become established, several years later another portion, and so on until the whole area has been treated. It is desirable, of course, to secure the welfare of the Forest with the least possible friction or interference with the stock interests.

Watershed Protection.

The watersheds of streams supplying water for irrigation, municipal, or domestic purposes may be closed to the grazing of any or all kinds of domestic stock when necessary to prevent erosion and floods or diminution in water supply. The supervisor should state definitely the character and extent of the benefit to be accomplished and the number of permittees and number of stock to be affected.

Public Camping Grounds.

The needs of the traveling public should receive careful consideration, and in the division of the range adequate provision should be made for the pasturage of draft, saddle, and pack animals used by persons traveling through the National Forests on business or for recreation. Camping grounds required for the accommodation of the public may be closed to the grazing of permitted stock if such action is necessary. The supervisor, in submitting recommendations, should state the approximate number of travelers that will use the camp grounds and the number of permittees and permitted stock to be affected by the closure of the area.

Game Refuges.

Upon approval by the district forester, limited areas which are the natural breeding or feeding grounds of game animals or birds may be closed to the grazing of domestic live stock when necessary to protect the game from molestation or extinction. The boundaries of such areas should be plainly marked, and permittees using adjoining ranges should be warned against trespassing on the closed area.

Poisonous Plant Warning.

When any area within a National Forest contains a growth of poisonous plants in such quantity as to make dangerous its use for grazing and the danger period has been determined, the exterior limits of the area will be posted with warning notices (Form 766) cautioning stockmen against allowing their stock to graze within the area during the time when the poisonous plant is dangerous.

ADVISORY BOARDS. (Reg. G-3.)**COOPERATION.****Reasons for Cooperation.**

The primary purpose of all the regulations is to make the National Forests as useful as possible to the people, consistent with their protection and perpetuation. It is clearly impossible to meet the wishes of each individual user, but it may be entirely possible to meet the wishes of the majority if made known through an organization. It is to secure from the people collectively definite statements of their needs and wishes that the organization of stock associations is encouraged.

Consideration of Recommendations of Advisory Board.

Each supervisor, in the preparation of his annual working plan, should give full and careful consideration to the suggestions and recommendations of advisory boards which represent the users of his Forest, although it is the responsibility of the forest officer to determine in each instance whether the wants of the people are compatible with the good of the Forest. When they are not, the latter will govern.

The Forest Service must control the grazing on the Forests and retain the administrative authority, but it must be remembered that an advisory board is in a position to express accurately the wants of the stockmen composing the association and to give extremely valuable advice regarding the handling of the interests represented.

Matters Must be of General Interest.

Matters submitted to advisory boards should be of general rather than individual or personal interest. It is not within the province of an advisory board to determine whether a new applicant shall be admitted or a renewal of permit granted a purchaser. An individual case, however, may contain a principle in which a large number of permittees are interested, in which event it may very properly be taken up.

Attendance at Meetings.

Upon receipt of an authorized request, the supervisor of the Forest concerned or one delegate selected by the district forester, may attend, without receiving specific authority from the Secretary of Agriculture, any meeting of the stockmen using the Forest or of an association of which they are members, at which his presence will tend to facilitate the administration of the Forest or will be of mutual benefit to the Forest Service and the users of the National Forest.

Absence of Quorum.

If, after setting any date of meeting with an advisory board, giving ample time for all members to attend either in person or by proxy, a majority of the board is not present, the supervisor or district forester will be relieved from all obligation to delay action or confer with the board.

Disapproval of Recommendations.

When it is necessary to disapprove the recommendations of an advisory board the supervisor will furnish them a clear statement of his reasons for such disapproval.

Appeals by Advisory Boards.

The advisory board may, if the supervisor's action and reasons are unsatisfactory, appeal to the district forester and from his decision to

the Forester, and from the Forester's decision to the Secretary of Agriculture.

Complaints of Members.

Complaint against the supervisor's action by members of the association should be taken up through the advisory board unless the permittee desires to take up the matter directly as an individual.

Special Rules.

Special rules designed to bring about economies of operation, larger natural increases, improved grades of live stock, etc., should not be drafted or enforced except upon the specific request of the majority of the permittees who will be affected.

No rule should be established that is not designed to accomplish some specific result generally beneficial to the majority of the permittees.

No rule should be adopted that is not clearly within the limitations of the State or Federal statutes concerning live stock.

Rules approved by the district forester will be binding upon all permittees whether members of the association or not.

ORGANIZATION.

Character of Association.

An association may contain a majority or a minority of the permittees, and it may be officially recognized within an entire Forest or a district or division thereof.

Small Organizations Practicable.

In the administration of the National Forests good results have been secured through cooperation with associations representing the majority of the users of small grazing divisions, who have a community of interests, are more readily assembled for the consideration of administrative problems, and more closely in touch with the conditions existing within their ranges.

Majority Association.

A majority association is one whose membership includes a majority of the permittees grazing a certain kind of stock under permits of record, either paid or on account of private land, upon the range unit within which recognition is desired. The permittees need not constitute a majority of the members of the association nor do they have to hold permits for a majority of the stock grazed upon the unit in order to secure official recognition.

Minority Association.

A minority association is one whose membership does not include a majority of the permittees grazing the particular kind of stock within the range unit for which recognition is desired, but does include permittees owning and grazing 75 per cent or more of the permitted stock. A minority association will be officially recognized only when its request for recognition is approved and indorsed by a majority of the permittees grazing the particular kind of stock represented by the association within the entire area in which recognition is to be granted.

Indorsement by Petition.

The indorsement of a minority association by nonmembers must be by a petition stating that the subscribers approve and recommend

the recognition of the association and agree that in all matters relating to the grazing administration of the Forest or district the recommendations of the advisory board shall be binding upon all persons signing the petition.

Area Covered.

Where there is more than one advisory board on a Forest, care should be taken to see that the members understand clearly the boundaries of the area over which their jurisdiction extends, whether it be a Forest, a grazing district, or a few divisions. In handling important range questions which it is necessary to refer to an advisory board complications may be avoided by having this thoroughly understood beforehand.

Requirements for Recognition.

Live-stock associations desiring to take advantage of this regulation must file an application with the supervisor, giving the names of all members, the name of the Forest in which its members are interested, and the names of the committeemen who are to act for the association. The advisory board must consist of not more than five members, who must be users of the National Forest, and a majority of the board must constitute a quorum.

The application must be accompanied by a copy of the constitution and by-laws, which must contain a provision that the action of the board will be binding upon the association. These by-laws must provide that all persons who are permitted to graze the kind of stock represented by the association will be eligible to membership. The application of a minority association must also be accompanied by a petition signed by sufficient permittees to constitute a majority.

Procedure.

After having examined the application the supervisor will forward it to the district forester accompanied by a copy of the constitution and by-laws. He will state whether or not the membership comprises a majority of the permittees or owners of the particular class or classes of stock within the Forest or grazing district for which recognition is requested, and make a recommendation for or against its approval. Upon approval by the district forester, the association will be notified and entitled to the recognition under this regulation. The letter of notification will be sent the secretary of the association and copies sent the Forester and supervisor, on receipt of which the supervisor will arrange for cooperation with the association. Applications for recognition of advisory boards not submitted through the supervisor will be referred to him for recommendation.

Card Record.

A card record of recognized stock associations will be kept. The title of the association, names and addresses of its officers and the members of the advisory board, and the grazing district or Forest for which recognition is granted will be entered on a card which will be filed by Forests. A copy of each card will be sent the Forester, who will be kept informed of changes.

Changes in Personnel, Constitution, or By-laws.

Supervisors should inform the district forester of any change in the personnel of advisory boards or amendments in the constitution or by-laws adopted by recognized stock associations.

Disapproval of Applications for Recognition.

If the application is disapproved by the district forester, the secretary of the association will be informed and specific reasons given. On receipt of a copy of such a letter, the supervisor may take the matter up with the local representatives, show them what is necessary to correct their application or enlarge their organization to secure recognition. Disapproval for noncompliance with this regulation need not preclude reapplication and subsequent approval. An appeal from the district forester's refusal to recognize a stock association may be made to the Forester.

State Associations.

State associations may appoint advisory boards for any Forest in the State in which their membership includes a majority of the users. A single advisory board representing a State association may be consulted by the district forester on questions which concern the entire State.

National Associations.

National live-stock associations representing the owners of any kind of stock using the National Forests, may appoint an advisory board, which will be recognized by the Secretary of Agriculture and consulted with annually at such time and place as may be agreed upon in reference to matters affecting the use of all of the National Forests.

PERMANENT IMPROVEMENTS. (Reg. G-4.)**Range Divisions Must be Settled.**

The success of this regulation depends upon the permanency of the range divisions. Fences should not be constructed upon dividing lines which necessarily will have to be changed before the fences have served their purpose, nor should improvements designed wholly to facilitate the handling of cattle or horses be constructed upon ranges which are to be opened to the grazing of sheep or goats, if it is the intention that all permittees will pay their pro rata share of the cost.

Must Be Necessary, Substantial, Economical.

Before approving a special-use permit which provides for the payment of a pro rata share of the cost of construction by each permittee, the district forester should assure himself that the proposed improvement is actually necessary for the proper management of the stock; will be generally beneficial to the majority of the permittees; and will be substantially and economically constructed. Permittees using the Forest lands should not be burdened with the cost of unnecessary improvements or of extravagant or wasteful methods of construction.

Details of Construction.

Applications to construct permanent improvements under the provisions of this regulation should specify in detail the materials to be used, the methods of construction to be adopted, the spacing of posts, stays and wires, the location and kind of gates, or other information needed to determine whether the improvement will conform to Forest Service standards and will be acceptable to all of the permittees. The stipulation and agreement by the district forester should provide that it will be contingent upon full compliance with the provisions of the special-use application.

Pro Rata Charge Must Be Paid on Increases in Permit Number.

Permittees who are allowed to increase the number of stock grazed under permit will be required to pay the prevailing pro rata charge upon all additional stock placed upon the range, unless the stock are purchased from a permittee who has paid the pro rata charge and has signed an agreement (Form 763) waiving all claims to preference in the use of the range, in which event no additional payment need be made.

Report by Supervisor.

When an application is received to construct an improvement under this regulation the supervisor will determine (a) whether the improvement is necessary and will be of general value, (b) whether the proposed method of construction will be satisfactory, (c) the definite limits of the area within which the pro rata charge will be assessed, (d) the estimated capacity of the area, (e) total cost of constructing improvements, (f) approximate pro rata charge per head of stock, (g) sentiment of permittees not members of the live-stock association. His report upon these points, together with the special-use application, will then be forwarded to the district forester for action.

Action by District Forester.

If the report and application are approved by the district forester he may in his discretion insert in the special-use agreement a stipulation that all persons grazing certain kinds of stock under permit within a certain defined area will be required to pay their proportionate share of the cost of constructing the improvement, provided that the improvement is constructed and maintained by the association in a manner acceptable to the Forest Service.

Determination of Initial Pro Rata Charge.

Upon the completion of the improvement the association will submit an itemized statement of the costs of construction which will be checked and verified by the supervisor, who will withhold his approval from any expenditure which appears to be extravagant or unnecessary. Differences of opinion will be referred to the district forester for decision. The amount approved by the supervisor or, in cases of appeal, by the district forester, will be considered the total cost of construction.

The number of stock, exclusive of those exempt from permit, which may be grazed upon the area described in the special-use agreement will be determined by the supervisor. If the range is understocked it will be necessary for the supervisor and the members of the advisory board to agree upon the number of stock which the range will support and which will be used as the basis for computing the pro rata charge.

The approved total cost of construction will be divided by the total number of permitted stock to be grazed upon the range which will give the proportionate cost per head of stock. This will be the initial pro rata charge. A reduction of one-tenth of the initial charge will be made during each of the nine succeeding years and after the tenth year the improvement will become the property of the Government.

Payment of Pro Rata Charge.

Forest officers must not receive payments to cover the cost of permanent improvements, maintain the permanent improvement accounts of an association, or assume official responsibility for the

costs of constructing or maintaining an improvement. These are functions of the association to which the special-use agreement has been issued.

In all cases where a pro rata payment is due the regular letter of approval (Form 861-G) will be accompanied by a letter stating that as a condition precedent to the issuance of a permit the applicant will be required to pay his proportionate share of the cost of constructing the improvement to the properly authorized and designated officer of the live-stock association. The letter should state the total cost of the improvement, the estimated number of stock the area will support, and the pro rata charge per head of stock based upon these figures.

The applicant will pay his share of the cost of improvements directly to the officer of the live-stock association, who will acknowledge the payment in proper form. The grazing permit will not be issued until both the receipted letter of transmittal (Form 861-G) and the receipt for the costs of construction have been received by the supervisor.

Pro Rata Charge Paid by New Owners.

When new class A owners are provided for by the reduction of permits of old users on areas which are fully occupied, the amount received for their pro rata charge may be used by the association either for maintenance of the improvements or a proportionate refund to the permittees who have been reduced.

Part 2. GENERAL PERMIT REQUIREMENTS.

(Stock exempt from permit—On-and-off permits—Private lands—Crossing permits.)

STOCK EXEMPT FROM PERMIT. (Reg. G-5.)

No stock may be grazed without a permit, except milch or work animals which are in actual use. A settler owning only 10 head or less of stock which are neither milch nor work animals will be required to apply for permit and pay the grazing fees, while a settler owning any number of stock will be allowed to graze 10 head of milch or work animals without permit and free of charge.

Discretion of Supervisors.

The privilege must not be abused, but, on the other hand, some discretion may be used in the interpretation of the term "milch or work animals." The settler's family may be using all the milk produced or he may be operating a dairy. Saddle animals may be used for handling stock grazed under permit and at the same time be stock horses which are bred or sold by the permittee as a part of his stock business. Work horses may be used in timber sales or improvement work for a part of the season and for other purposes during the remainder of the time. Milch cows may dry up and run on the range during a part of the season. The determination of whether an exemption may or may not be allowed rests with the supervisor, the only restriction being that each class of animals must be used for the purposes mentioned at least during a part of each year, or else must be covered by a grazing permit. A saddle horse not in use and turned out to graze during any entire established season should be covered by permit.

In cases where transportation companies are grazing large numbers of horses which are used in transporting travelers within National Forests, the stock must be covered by permit.

Special Concessions to Indians..

Special concessions may be made by the Secretary of Agriculture to Indians who are enrolled upon the records of the Office of Indian Affairs and who are dependent upon the National Forest ranges for the pasturage of their stock. Such concessions will not apply to intermarried white persons except those who have been formally adopted by the tribe and enrolled upon the records of the Indian Office. In all cases where it appears that concessions should be made to Indians a report of the facts will be made by the supervisor to the district forester in duplicate, who will forward a copy of the report to the Forester with suitable recommendations.

Record of Stock Grazed Without Permit.

Rangers will keep a record and include in their report for the quarter ending September 30 each year a statement of the approximate number of owners and of stock grazed without permit in each district, in order that the supervisor may consider it in his annual forest plan.

ON-AND-OFF PERMITS. (Reg. G-6.)

Object of Regulation.

This regulation is designed solely to provide for cases where only a part of a natural range unit is National Forest land, and where the economical use of the entire unit can be secured only by the utilization of the forest land in connection with the other land. The regulation contemplates a movement of the stock, governed by natural conditions, between the forest range and the adjoining outside range, or between forest land and intermingled private land. Only under such conditions should an on-and-off permit be granted.

Outside Range Must Bear Relation to Forest.

The on-and-off privilege should not apply to lands not dependent upon or related in their use to the Forest lands. Permits should be issued only on the basis of the natural unit partly included within or dependent upon the forest. For example, if a person grazes 1,000 cattle on a range of which one-fifth is a natural unit, containing one-half forest land, his permit for 100 head of cattle should provide for the grazing of 200 cattle on range 50 per cent forest land, and not the grazing of 1,000 cattle on range 10 per cent forest land.

Continuous Occupancy During Short Periods.

Where the use of the forest land is confined to one continuous period during only a part of an established grazing season, the issuance of an on-and-off permit, covering a part of the stock proportionate with the part of the established grazing season during which the range is used, is equivalent to the establishment of a short grazing period by the supervisor, often at a rate below the minimum prescribed by the regulations, and therefore will not be allowed. Where occupancy of forest lands is continuous and not intermittent, the district forester, if he considers such action advisable, will establish short grazing periods; payment to be required for the full number of stock grazed upon Forest land. (See "Grazing fees," p. 43.)

Conditions Warranting Issuance of On-and-Off Sheep Permits.

On-and-off permits for sheep or goats may be issued for portions of the range along the forest boundary not sufficient in area to support a band of sheep or goats during an entire established grazing period, which can only be utilized in connection with the adjoining outside range. Where portions of the outside range can only be used to advantage in connection with watering places located within the National Forests, on-and-off sheep or goat permits may be issued.

On and Off Private Lands.

Sometimes the ownership of private land within a National Forest is unknown, or the owner does not object to its use without compensation or lease. Frequently a permittee owns or leases private lands comprising more than 50 per cent of his range allotment. In such cases permits may be issued for the adjoining range under the provisions of this regulation and the grazing fees paid only on the stock which will be grazed upon National Forest land, but the permittee must agree to remove all stock in excess of the number covered by the grazing permit if deprived of the use of the private lands by the owners or lessees thereof.

Determination of Amount of Fees.

In the approval of applications from the owners of cattle and horses which graze on and off the National Forest an estimate will be made of the average number which will be grazed upon the Forest, and the fee will be paid upon this number. In issuing sheep permits the grazing fees will be based on the grazing capacity of that portion of the range which is National Forest land.

Issuance of Permit.

The permit will be issued only for the proportionate number of animals which will use forest range during the season, but will contain a proviso as follows: "This permit is issued with the understanding that —— head of —— will be grazed on range, —— per cent within the National Forest and —— per cent outside." Only the number of animals upon which the fees are charged will be counted against the number authorized by the Secretary of Agriculture, but in determining the permittee's status or class the total number will be considered.

Proper Designation.

This class of permits is sometimes erroneously called "drift permits," both in correspondence and the permits themselves; a practice which leads to confusion. Permits issued under regulation G-6 should in all cases be designated as "on-and-off" permits.

PRIVATE LANDS. (Reg. G-7.)**Crossing to Private Lands.**

Permits to cross a National Forest with stock which will be kept upon private lands, the owners or lessees of which do not desire to waive the right to its exclusive use, will be issued under the provisions of regulation G-8.

Grazing of Sheep and Goats.

The privilege of grazing sheep and goats upon National Forest lands, under this regulation, will be allowed only upon such ranges as are open to this kind of stock.

When Applicant Controls Over Half of Allotment.

Where more than one-half of the land comprising the range allotment is controlled by the applicant, ordinarily an on-and-off permit may be issued. The waiver of exclusive use of unfenced private land is not necessary, unless the interests of the Government especially demand it.

Determination of Range Capacity.

In every possible instance, where such information has not already been obtained, the grazing capacity of the lands offered as the basis of the free permit and the advantages of the exchange should be determined by field examination and reported upon Form 251.

When Advantageous.

In the issuance of permits under this regulation it is intended that the Government will be compensated for the use of the forest lands by an equivalent use, through stock under paid permit, of the private lands to which the right of exclusive use has been waived. When the private lands are so situated and of such character that they will not be occupied by stock upon which fees have been paid, by the owner or lessee of the private land or by other permittees, to an extent approximately equal to the occupation of the forest lands by the stock under free permit, the Government will not be adequately compensated for the use of its lands and the exchange should not be made.

Determination of Status.

Before issuing permits under this regulation the supervisor must determine that the title of the land has passed from the United States and that the applicant has the right to its use. No grazing preferences will accrue through use of the National Forest under this regulation.

Allowances for Private Lands.

The following rules will govern grazing allowances on account of private land within the exterior limits of National Forests when it is desired to allow the use of National Forest lands upon a waiver by the owner of the private land to exclusive use thereof in favor of Forest Service permittees:

Unperfected entries.—Bona fide settlers who have made homestead entry, but have not yet made final proof, may be allowed free permits for grazing upon National Forest lands the number of animals their lands will support.

Persons who have filed upon land within the National Forests under laws not requiring residence may be allowed free permits for grazing upon National Forests the number of stock their lands will support, after they have made final payment for the land.

Indian allotments.—Owners or lessees of Indian allotments may be allowed permits for grazing upon National Forests the number of animals the land will support, provided that patent has issued or a lease has been executed upon the blanks of the Indian Office and approved by the Commissioner of Indian Affairs.

Mining claims.—Persons holding unpatented mining claims within a National Forest have the right to the grass or other forage upon such claim needed for stock used in connection with the development of the claims, but they have no right to dispose of the forage to any other person or to collect rental for the use of the claims for grazing purposes. Such unperfected mining claims, therefore, can not be accepted as the basis for a permit under this regulation.

Squatters' claims.—Bona fide squatters upon unsurveyed lands may be allowed permits for grazing the number of animals their claims will support, provided no claim exceeds 160 acres. No conflicting claims will be recognized until the matter has been determined by the Department of the Interior.

State selections.—Persons who have applied to purchase or who have leased from a State any lands which have been selected under authority of an act of Congress, and the lists of which have been filed with the Commissioner of the General Land Office but have not been approved, will be allowed the use of these lands for grazing purposes, pending final action upon the validity of the selections.

In permits based upon the right to the use of unapproved State selections the following clause should be inserted:

And provided, That the issuance of this permit gives no right to the use of the above-described lands except for grazing purposes, and in case the selection made by the State is disapproved this permit shall be null and void.

Railroad lands—Surveyed or selected.—Surveyed railroad lands within the primary limits of a grant are acceptable as the basis for the issuance of free permits under this regulation. Lands selected by the railroad company within the indemnity limits of a grant are not acceptable until after the selections have been approved by the Secretary of the Interior.

Unsurveyed railroad land.—The use of unsurveyed, unselected lands within the primary and indemnity limits of railroad grants will be allowed only in accordance with the grazing regulations under regular paid permits.

Procedure.

When an application for a permit in exchange for the use of private lands is received, card record (Form 403) will be made showing the name and address of the applicant, the acreage of the land owned or leased, the number of each kind of stock to be grazed, the location of the range to be occupied, and the grazing period. The cards will be filed alphabetically behind the record cards for the regular paid permits.

The application (Form 925), report on the grazing capacity of the land (Form 251), and the duplicate copy of the permit (Form 656) will be placed in a folder and designated according to instructions. The permit will be written in triplicate, the original sent the applicant, the duplicate filed, and the triplicate sent to the ranger in charge of the district.

CROSSING PERMITS. (Reg. G-8.)

The regular grazing permit carries with it the privilege of driving the permitted stock over National Forest lands to and from the allotted ranges at the beginning and end of the grazing season and from the range to the most accessible shearing, dipping, and shipping points during the term of the permit. Supervisors should designate the route to be traveled and the crossing period whenever it is evident that the unrestricted privilege would be detrimental to the Forest or to other permittees.

When Granted.

Crossing permits may be granted for crossing stock over National Forest lands to points beyond the National Forest, for crossing stock

to private lands within a National Forest, or for crossing stock to reach dipping vats or railroad shipping points.

When Denied.

Crossing permits will not be issued prior to the opening of the grazing season for the class of stock concerned, except upon an established driveway. They will not be issued for stock which is so poor that it will not be able to cross the Forest, and they will not be issued for stock to be driven to private land within the Forest if the land is unfenced and the number of stock is greater than it will support for a reasonable period without trespass upon adjoining forest lands. Of course, it is not reasonable to refuse a crossing permit for this reason before the grazing capacity of the land has been determined.

Supervision.

If occasion demands, rangers will be detailed to accompany the stock and see that there is no delay or trespassing.

No Charge for Ordinary Crossing Permits.

No charge will be made for crossing permits issued under this regulation.

Paid Permits.

When a permit is desired for crossing the Forest with stock at regular intervals during an entire grazing season, or under other conditions which warrant the charging of a grazing fee, the grazing permit will be issued under regulation G-9 and included in the regular series.

If the Forest includes a shipping point or if it must be crossed to reach one by nonpermittees trailing stock and limited grazing is necessary to prevent shrinkage, the Forester may authorize a grazing period of 10, 20, or 30 days, as the case may be, at a specified charge per band of sheep or cattle for the period established. The charge in such cases will be based upon the entire period and no allowance will be made if the range is used for a shorter time.

Quarantine Regulations.

It is absolutely essential that persons crossing stock comply with the regulations governing the National Forests and with the quarantine regulations prescribed by the Secretary of Agriculture and the State authorities. Unless they do so the privilege may be denied them, but the condition of stock as to contagious or infectious diseases will be determined by the proper Federal or State authorities. Compliance being assured, and if the privilege will not expose the National Forest to damage or the regular permittees using it to inconvenience or financial loss, the permit should be issued without delay and with the fewest possible restrictions.

Crossing to Private Lands.

Before issuing a permit to reach private land, the forest officer may require a written statement of ownership of the land or a copy of the lease thereof.

If the land is uninclosed and the applicant does not desire to waive the right to its exclusive use, the stock must be so handled that the animals will not intrude upon adjoining forest areas. In order to protect the Forest from trespass or injury, an application for crossing with more stock than the land will support may be denied.

When the private land is securely fenced, the permit may be allowed for any number of stock the applicant desires to graze upon his land.

Crossing to Dipping Vats.

It is inadvisable to allow unpermitted sheep to cross National Forest lands to be dipped at a vat within the Forest, unless there is no available dipping vat outside of the limits of the Forest, but the Forest Service will not prevent compliance with the Federal or State quarantine requirements by refusing access to a dipping vat so located. The Supervisor will determine for each vat on his Forest whether the circumstances warrant the granting of this privilege, and the restrictions which should govern it and will instruct the rangers accordingly.

Crossing to Shipping Points.

If a shipping point within a National Forest is the only one reasonably accessible to persons grazing stock outside, the supervisor may allow crossing privileges under such restrictions as are necessary to protect the interests of regular permittees.

Applications.

Applications for crossing permits may be made either in person or by letter, and the permits issued to either the owner or person in charge of the stock.

Permits.

Crossing permits will be issued in triplicate (Form 874-17), one copy delivered to the applicant, one copy retained by the issuing officer, and one copy sent the supervisor.

Interforest Permits.

When stock is to be driven across more than one Forest, it should not be allowed to enter the first Forest until crossing permits have been obtained for the others.

However, where customary routes of travel or stock driveways cross two or more adjoining Forests, interforest crossing permits may be issued under an agreement between the Supervisors. The permit will be issued on the Forest which the stock first enter, and will grant the privilege of crossing all of the Forest land traversed by the driveway. Copies of interforest crossing permits will be forwarded to all supervisors concerned.

Period Effective.

The dates between which the permit may be used should include a period sufficient to provide against unavoidable delay. To illustrate, where the time required to cross a Forest is 4 days, the permit may be made effective for 15 days, with a proviso that not more than 4 days will be used in crossing.

Part 3. GRAZING FEES.

(Grazing fees—Payments—Refunds.)

GRAZING FEES. (Reg. G-9.)

When Animals under 6 Months are Subject to Charge.

The full grazing fee will be charged on all animals under 6 months of age which are not the natural increase of stock upon which the fees are paid.

No Reduction Because of Partial Use.

No reduction in grazing fees will be made when the stock do not graze upon the National Forest during the entire period allowed, nor will an increased number of stock be allowed to enter the Forest for this reason. (See "On-and-off permits," p. 38.)

Additional Time Allowance.

The supervisor may allow stock to enter not more than 15 days in advance of the date fixed for the beginning of a grazing period, or allow it to remain 15 days after the expiration without additional charge, when the needs of the people demand such action and the condition of the range warrants. The additional time will not be stated in the permit, but permission to enter before or remain after the regularly established dates will be given either by general notice or by a letter written to the applicant.

Extension of Permits.

If suitable range is available within the National Forest, grazing permits for short periods may be canceled and amended permits issued for any of the longer periods established for the Forest upon payment of the difference between the rates established for the two periods. The fee representing the difference between the two rates must be paid not only upon stock covered by the original permit, which are to be grazed during the extended period, but also upon all additional animals which have reached the age of 6 months during the original permit period.

Supplemental Extension Permits.

In the extension of permits for the summer season to cover a longer period, supplemental permits for the number of stock which have reached the age of 6 months, in excess of the number covered by the permit for the summer season, may be issued whenever this will not result in injury to the Forest.

Any increase in the number of stock allowed under such an extension is temporary, and the applicant's preference for the following year will be based on his original permit.

Minimum Division of Rate.

In determining the rates for periods less than one year, no division of less than one-fourth of 1 cent will be made in the rates for sheep, goats, or swine, or of less than 1 cent in the rates for cattle and horses. For example, if in computing the rate for a short period on sheep the result obtained is 6.87 the rate will be fixed at $6\frac{3}{4}$ cents, but if the result is 6.88 the rate will be fixed at 7 cents. Under the same plan, if the result obtained in computing the rate for a short period on cattle is 28.5, the rate will be fixed at 28 cents, but if the result is 28.6 the rate will be fixed at 29 cents.

Charge for Irregular Periods.

In cases where it is difficult beforehand to determine the use that can be made of a privilege, fees should be charged and permits issued for the established period which most closely meets the requirements of the case. Special authority may be secured later for refund of the unearned portion of the fee when the circumstances warrant on the basis of the percentage of use secured by the permittee. Since a refund requires the approval of the district forester, permits must not be issued with the understanding that a refund will be made.

Charges for Sheep.

The rates charged for sheep, as shown in regulation G-9, are, when the quality of the range and advantages are equal, 30 per cent of the rates charged for cattle, for the following reasons:

First. The proportionate number of stock under six months of age grazed free on permits is much greater with sheep than with cattle. In the feed lot the amount of feed required for one cow will support eight sheep. On the National Forest range, where only the grown stock is counted, the proportion is reduced to one to five, because the proportion of lambs to the old stock is much greater than the proportion of calves, and also because lambs mature more rapidly than calves and require more feed.

Second. Under the customary methods of handling stock upon the range, sheep are more destructive to the young forest growth than cattle, being herded in bands while cattle are turned loose. The amount of forage destroyed by trampling by herded animals is also much greater than the amount destroyed by animals running loose. Careful investigation has shown that herded animals require from 25 to 50 per cent more range than animals which are turned loose. This justifies a further reduction in the comparative charges to the rates for grazing sheep and goats fixed by the regulation.

Charges for Horses.

In ordinary range management it is found that horses require about 25 per cent more range space during a given period than is required by cattle. In many localities horses utilize feed that would otherwise remain unused and consequently often graze upon fully stocked cattle or sheep ranges without any injury from overgrazing, but as they are more readily disturbed, travel greater distances and at greater speed than cattle, they do more damage to forage and tree growth through trampling and as a result require more of the range.

Charges for Swine.

The forage consumed by swine is difficult to compare with that consumed by cattle, as their feed is mast, roots, and bulbs rather than forage grasses and plants, but in purposes of administration two head of swine will be considered equal to one cow. On account of the cost of regulating hog grazing, the very large proportionate natural increase, and the damage from rooting, 60 to 75 per cent of the rate for cattle is equitable.

Charges for Dry Sheep.

A band of dry sheep will not consume as much forage as a band of ewes with lambs, but since they will run and mass to a greater degree the demand on range is about equal. The high summer ranges of the National Forests are required to enable ewes to produce the maximum amount of milk to give the lambs the growth they require to prepare them for market. Therefore as between the two classes the higher and better ranges should be given to the ewes and lambs. The absence of lambs in a band does not justify any reduction below the rates charged for ewes with lambs, and persons grazing dry sheep will not be given a reduction in rates or an increase in number.

Charge for Lambing.

The additional charge of 2 cents per head for the privilege of lambing ewes upon the National Forests is intended to be an extra charge for a special use of the range. It should not be included with

the season fee, but should be figured separately upon the basis of the number of ewes or does to be lambled or kidded. The control of suitable lambing grounds is one of the most important factors in successful sheep raising. The intensive method under which sheep must be handled during the lambing season causes more damage to the range than ordinary grazing, and the lambing charge is made for the use of the range for a special purpose which causes more than ordinary damage to the range. It is not on account of the additional feed required by the lambs.

The phrase "for the purpose of lambing or kidding" should be construed to mean the use of a range during the period from the time the first lambs or kids are born until the herds are made up for summer grazing, or ordinarily the period during which the herd is on the lambing grounds. The mere fact that lambing corrals are located upon patented land within the Forest or upon public lands immediately adjacent will not relieve a permittee from the payment of the lambing charge. Two cents per head will be charged in all cases where drop bands are grazed upon the Forest or where ewe bands enter the Forest immediately after the lambs are dropped and before the herds are made up for the summer. If a lambing ground is located partly within a Forest and partly outside, or on private lands, so that the stock will be grazed on and off the Forest during the lambing period, there should be a division of the extra charge for lambing on the same basis as the on-and-off grazing fee.

While it is true that in some cases ewes or does entering the Forest with lambs or kids after the herds are first made up must be confined to a limited area until the young are able to travel and consequently damage the range to an unusual extent, the element of special use and damage is not present and they will be charged for at the regular rate established for sheep and goats for the period.

PAYMENTS. (Reg. G-10.)

Grazing Fees Payable in Advance.

The approval of an application to graze stock on forest land does not authorize the grazing of the stock. Persons who place stock upon a National Forest before they have paid the grazing fees due and secured a permit are guilty of grazing trespass, thereby becoming subject to a demand for damages, or in aggravated cases, to civil or criminal action. This fact should be brought to the attention of stock owners who are delinquent in paying their fees, and in cases where such delinquency is due to extreme negligence or willfulness trespass proceedings may properly be initiated. If trespass action is instituted the approval of the application will be modified so as to exclude that part of the grazing period during which the stock were in trespass and permit will be issued only for the part of the season during which the occupancy of the forest lands is in accordance with the regulations.

Emergency Concessions.

If an emergency requires that stock be allowed to enter the Forest immediately, the district forester may authorize the supervisor to allow the stock to enter upon evidence that the fee has been forwarded to the United States depository, the permit to be issued when notice of receipt of the remittance is received. In no case will stock be allowed to enter the Forest before remittance has been made.

Nonpayment of Fees.

The last paragraph of this regulation should be enforced within the discretion conferred by the regulation. It is not the intention to bar the applicant from all future use of the range because he fails to pay his grazing fee for one season. If he fails to do so he may be denied a permit until settlement is made and if his stock graze upon the Forest he may be prosecuted for trespass; or, if he makes application without intending to use the range but merely to hold it to the exclusion of other applicants, he may be denied a permit. If failure to make the required payment does not deprive others of range or necessitate a readjustment of grazing allotments, it may be overlooked and need not be made the grounds for a rejection of an application.

Procedure Payments.

When payment of a grazing fee is required, the forest officer will furnish the applicant with a letter of transmittal (Form 861-G), which must accompany the remittance to the United States depository. A duplicate will be sent to the district forester by the supervisor and a triplicate filed in the supervisor's office.

Delinquents.

When necessary, the supervisor will notify all persons who have not paid the fees that their payments are overdue. Thirty days after the beginning of the grazing period the supervisor will take such action as is justified in the case of each delinquent.

REFUNDS. (Reg. G-11.)**Excess Payments.**

Whenever payment in excess of the amount due is made, the amount overpaid will be refunded. Applications for the refund of moneys in excess of the amount due must be accompanied by a copy of the grazing permit issued, showing the amount received and the number of stock and grazing period covered by the permit.

All claims for refunds will be considered in accordance with regulation G-11.

Statement or Report.

Applications for the refund of money paid on account of a grazing permit must be accompanied by a statement giving the reasons for not using the permit. This may be either the written statement of the permittee or a report by a forest officer who has looked up the case.

Conditions Warranting a Refund.

Refunds will be made to a person who applies for a permit and does not use it only when the nonuse is caused by some circumstance over which he has no control. Unusual climatic conditions, floods, high water in streams, heavy snow, etc., or infectious disease causing quarantine by Federal or State authority, loss of stock caused by poison, disease, railroad wrecks, or in some unusual manner, are all good reasons for refund. In all cases of unusual loss where it is either impracticable or impossible for the applicant to secure other stock, a refund may be made, but if the stock can be replaced this should be required, as in the case where a portion of the stock has been sold and removed from the range.

Loss of Range through Trespass or Error.

An equitable portion of the grazing fees may be refunded when a permittee is prevented from enjoying the full use of his range by reason of trespassing stock entering upon it or on account of an error by a forest officer.

Computation of Amount to Be Refunded.

Regulation G-9 provides that for periods of less than four months, or periods beginning between July 16 and October 15, the fee will be computed upon the basis of one-ninth of the yearlong rate and for periods of more than four months beginning between October 16 and July 15 the fee will be computed on the basis of one-tenth of the yearlong rate. A minimum of 20 cents for cattle, 25 cents for horses, 12 cents for swine, and 5 cents for sheep and goats is also established.

In cases where forest land is used during only part of a period covered by permit and a refund of a portion of the grazing fee appears equitable, the fee due for the period during which the range was actually used or was available for use will be computed in accordance with the provisions of regulation G-9. The difference between the amount thus determined and the amount actually paid may then be refunded as unearned.

Transfer of Refunds.

A request that an amount due as a refund be credited to the permittee in another transaction, or be placed to the credit of another applicant, will be referred to the district fiscal agent for action, as the details of accounts and disbursements are entirely within his jurisdiction.

Sale of Stock.

Refunds will be made on account of stock having been sold only when the preference in renewal of the permit is waived by the original owner to the Government and the purchaser is allowed a permit. In such a case the fees on the number of stock repermited may be refunded to the original permittee on his request.

The amount which will be refunded will not exceed the amount of the fees due on the permit issued to the purchaser. The difference, if any, between the amount paid on the original permit and the amount due on the new permit will not be refunded. A permittee who sells his stock under conditions which justify a full renewal of the permit to the purchaser, and signs a waiver to its renewal to himself (Form 763), is entitled to a refund of the full amount paid. If the conditions justify a renewal for only 80 per cent of the number of stock covered by the original permit, then 80 per cent of the original payment will be refunded.

Failure to Purchase Stock.

Persons who make application to graze stock which they do not own but intend to purchase will not be entitled to a refund because they fail to secure the stock. They may, however, reserve the right to place stock upon the range at any time during the period allowed by the permit.

In many cases applications are submitted for the privilege of grazing stock which the applicant expects to buy later in the season, and the supervisor approves the application and issues the permit. Later developments lead the applicant to believe that more money can be made by some other action and he requests a refund of the fees paid.

Such refunds should not be approved. By the issuance of a permit the Forest Service has done its part in reserving sufficient range for the number of stock covered. In such cases the range is at the disposition of the permittee during the period covered by the permit, and he has the right to place the stock upon it at any time during the season. His failure to avail himself of the privilege does not constitute grounds for a refund.

Speculation in the use of the Forests can only be prevented by a strict enforcement of this rule.

Procedure.

Upon receipt by the supervisor of an application for a refund and statement of the reasons therefor, he will forward it to the district forester with a recommendation for its approval or rejection. Requests for refunds which are sent in error to the district office will be referred to the supervisor concerned for report and recommendation. The district forester will decide whether or not the refund will be made. If the request for a refund is approved, the supervisor will be so informed and a Form A voucher, prepared for the signature of the person to whom the refund is to be made, will accompany the letter. The amount of the refund and the date of the voucher will be noted upon the duplicate letter of transmittal (Form 861-G).

When the voucher is returned signed it will be compared with the duplicate letter of transmittal, on which will be entered "Checked," with the date. The voucher will then be approved by grazing and sent to accounts for payment.

If the request is disapproved, the supervisor will be informed accordingly.

Part 4. APPORTIONMENT OF GRAZING PRIVILEGES.

(Notice to applicants—Application for permits—Qualifications of applicants—Preferences—Protective and maximum limits—Renewal of permits—Permits to purchasers of permitted stock—Permits to new owners—Cancellation and revocation of permits—Bonds—Settlements of controversies—Appeals.)

NOTICE TO APPLICANTS. (Reg. G-12.)

Advertisements.

Publicity will be given to the grazing allowances, periods, fees, date for receipt of applications, and other information by means of circular letters and posters, and, when authorized by the district forester, by newspaper advertisements.

Notification of Permittees.

All persons who held permits during the previous year will be notified by postal card (Form 153) or by circular letter of the date upon which applications for grazing permits must be filed with the supervisor.

Final Date for Receipt of Applications.

Applications must be received, range allotments made, and permits issued before the beginning of the grazing season. This necessitates fixing a date sufficiently far in advance to enable the supervisor to complete the work of issuing the permits. The date having been widely published, it will be assumed that the applications on file that day represent all the users of the forest range entitled to consideration, and the supervisor may proceed to allot the grazing privileges.

Action on Applications After Final Date.

The applications having been acted upon and the notices of approval forwarded, no changes will be made to accommodate persons who failed to file their applications in time, unless their failure was caused by circumstances which, in the supervisor's opinion, warrant a readjustment of range allotments. Negligence or failure to exercise ordinary diligence will not be considered a satisfactory reason for the acceptance of an application after the date set.

In case the total number of any kind of stock applied for before the date which has been set does not equal the number authorized to graze on the Forest, applications may be approved at any time until this figure has been reached.

Acknowledgment of Receipt.

Supervisors will acknowledge the receipt of applications by postal card (Form 303).

No Notification of Approval Before Date Established.

Supervisors must not notify applicants of the approval of their applications before the date set for their consideration.

APPLICATION FOR PERMITS. (Reg. G-13.)**Applications Should Be Complete.**

Forest officers should require that every question contained in Forms 298 and 879 shall be answered by the applicant, either affirmatively or negatively. The information required to complete the forms really serves as the basis for the apportionment of grazing privileges and constitutes the record maintained by the Forest Service. All statements should be complete and be checked and verified by the supervisor.

Certified Statements.

When necessary, an applicant may be required to furnish a certified statement showing the name, residence, and interest of any other person in the stock covered by his application. The district forester may require firms or corporations to furnish a certified statement of the name and residence of all members or stockholders.

If the supervisor has reason to believe that a new applicant, or one seeking the renewal of a permit on account of purchase, already holds an interest in a company grazing stock under permit he may require this information, or may require it if there is a question of preference between two companies or corporations.

Sworn Statements.

A sworn statement may be required by a forest supervisor, but ordinarily they are unnecessary. The penalty for false statement of essential facts should preferably be the refusal or cancellation of permit as provided by regulation G-13 rather than prosecution for perjury under the State laws, consequently a sworn statement is valuable chiefly for its moral effect.

False Statements or Suppression of Material Facts.

If at any time between the first allotment of a grazing privilege and the final closure of the case through the acceptance by the forest supervisor of a waiver of grazing privileges it is discovered that the original allotment of the privilege or its subsequent renewal was secured by willful misrepresentation or the suppression of material

facts the permit shall be revoked and the grazing privilege declared forfeited upon the termination of the current grazing period, even though the permitted stock have in the meantime been transferred to a purchaser.

Knowledge of Fraud or Fatal Defect by Purchaser.

When a purchaser of permitted stock who has applied for a renewal of grazing permit has no direct or indirect knowledge of fraud or fatal defect in the base permit, a clear official record in the case of the original permittee at the time the waiver is accepted will be construed in favor of the purchaser of the stock, and if the new owner has exercised such care and diligence as might be expected of a reasonably prudent man in ascertaining the bona fides of the base permit, any latent defect which may subsequently develop will not be held as invalidating the permit, but will be set aside and the continued enjoyment of the privilege allowed.

Unintentional Misstatement or Misrepresentation.

Unintentional violation of the regulations or terms of the application and permit in the acquirement or renewal of the privilege will not be construed as fatal to the continued enjoyment of the permit by the original permittee or to the renewal of the privilege to a purchaser otherwise qualified, but the burden of proof as to good intent will rest upon the person committing the breach of regulations or terms of the application and permit and such person must satisfy the supervisor that the wrongful conduct was entirely unintentional before he will be relieved of responsibility for it.

Error on Part of Forest Officer.

The Forest Service will not cancel or reduce a permit because of a mistake made in good faith by a forest officer, if the permittee has furnished the required information and has not contributed to the original error.

Application for an Unauthorized Class of Stock.

When an application is received for grazing a kind of stock which has not been provided for by the Secretary of Agriculture, a full report with recommendations will be made to the district forester and his instructions received before disapproval of the application, unless the grazing of the particular kind of stock has been considered by the Forester or the Secretary of Agriculture and the action taken was not favorable.

Range in Two Forests.

When a single range used by an applicant is located in two adjoining Forests, either supervisor with the consent of the other, may issue the permit with the understanding that stock is to be grazed upon both Forests. Two copies will be sent to the other supervisor.

Applications for More than One Period.

Persons who desire to graze the same class of stock upon the range during more than one established period may submit one application for the entire number of stock, showing the number which will be grazed during each period.

Statement of Ownership.

A new applicant is classified according to the total number of stock he owns, therefore it is necessary that he shall state in his application the total number of stock owned by him. An established permittee

whose classification is fixed need only assert ownership of the number of stock for which permit is desired, unless application is made to graze an increased number of stock, when the total number owned must be stated.

Stock to be Purchased.

When applications for permits are made to graze stock which it is intended to purchase, a statement to that effect will be made on the application blank.

Supplemental Applications.

In case the applications have not reached the total number of stock authorized to graze upon the Forest, supplemental applications may be approved with the understanding that no permanent range equities accrue for the increase. This understanding should be made a matter of positive record so that it will not be overlooked in subsequent allotments.

Applications for Term Permits.

When authorized by the Secretary of Agriculture, applications may be approved for permits during a term of not more than five years. A term of five years having been established, applications received subsequent to the initial year will be approved for the unexpired portion of the term, four, three, or two years, as the case may be, so that all term applications will expire simultaneously. The permits will be issued and the grazing fees paid annually on the number of stock for which the application is approved.

Applications for term permits will be canceled for failure to pay the grazing fees for any one year, or for failure to use the range for more than one year unless unusual circumstances exist.

Method of Approval.

The supervisor will immediately notify the applicant on the approval of his application by a letter of transmittal (Form 861-G) showing the number of stock for which the application has been approved, the period, and the fees to be paid. Any unusual conditions may be noted on the form. Whenever an amendment or a correction is made, or a supplemental application is approved, the notice will be marked "Amended," "Corrected," or "Supplemental," etc. A duplicate of each Form 861-G issued will be sent to the district forester at once and a triplicate filed in the supervisor's office.

Form 861-G for term permits will designate the year for which payment is to be made, thus: "Five-year period, first year."

District Office File and Check.

As duplicate notices of approval are received in the district office they will be examined and filed alphabetically under forest guides.

The district forester will require such check to be made of grazing receipts as is necessary for a proper audit.

Method of Disapproval.

When a grazing application is either wholly or partially disapproved, the supervisor will notify the applicant by letter, giving the reasons for his action, and will send a copy of the letter to the district forester. The letter must furnish the applicant with adequate and conclusive reasons for the disapproval of his application, while the carbon furnishes the district forester with the same information. It must assure both the applicant and the district forester that the application has received proper consideration.

Method of Cancellation.

Upon receipt of notice that the applicant does not intend to pay the fees or accept the permit, or if for any reason the permit is not issued afterwards, the supervisor will close the case and mark the card "Canceled." Where necessary, the applicant will be informed at once of the action taken and the reasons for it, and a copy of the letter will be forwarded to the district forester.

Designation and Filing.

Applications for grazing permits will be designated by the name of the applicant, initials indicating the kind of stock for which permit is desired, and date of application. Approved applications, including those for five-year periods, will be filed in alphabetical order in two divisions, one including applications to graze cattle, horses, or swine, the other applications to graze sheep and goats. Amended and supplemental applications will be designated by the dates they bear and not by the date of the original application, but will be marked "Amended" or "Supplemental" to show their relation to the original application. Amended and supplemental applications will be recorded on the original card, Form 621, using one line of the card for each transaction.

Card Record.

Each approved annual or term application will be recorded upon a record card, Form 621, revised, which provides for a record covering a period of 10 years. The date of the fiscal agent's receipt, the amount of the fee paid, and the date the permit is issued will be entered upon the card. Refunds will be recorded by a note in the "Remarks" space or on the margin of card; e. g., "Refund—1912," which will refer to detailed record contained in folder. The record cards, Form 621, being continuous, will be retained in the current files until the case is closed, when they will be transferred to the file for record cards of closed cases.

QUALIFICATIONS OF APPLICANTS. (Reg. G-14.)**How Preferences are Gained.**

Preference may be secured in the following ways:

(a) By prior use and occupancy of lands included within a National Forest.

(b) By local residence, ownership of improved ranch property, and dependence upon the range for a livelihood. (See instructions under "Permits to new owners," p. 68.)

(c) By the renewal of a permit formerly held by a copartnership or corporation to each individual member for a number of stock equal to his share in the original permit. (See instructions under "Renewal of permits," p. 62.)

(d) By the purchase of a permittee's stock or ranches, or both, under circumstances justifying a renewal. (See instructions under "Permits to purchasers of permitted stock," p. 65.)

(e) By inheritance of a permittee's stock or ranches, or both, under circumstances justifying a renewal of the permit. (See instructions under "Permits to purchasers of permitted stock," p. 65.)

Prior Use.

The regular use of a range during its open season for several successive years, before creation of a Forest, and under grazing permit

thereafter, is what is meant by "prior use" or "regular occupancy." So far as is consistent with other conditions, preference will be given to those who have continuously used the range for the longest period.

Ranch Property Must be Owned.

A person can not qualify as a permittee through the leasing of land or ranch property. Only actual owners of ranch property used in connection with the permitted stock will be recognized as qualified to share in the use of the Forest ranges, except on the basis of prior use.

Cooperative Association.

A cooperative association is an organization formed for purposes of economical management of stock upon the range, wherein the stock of the different owners are run together under joint management, although each member retains absolute personal title and right of possession to the stock grazed in his name, enjoys actual personal use of the range to the full extent of his permit, and acknowledges personal responsibility for the proper management of his stock within the Forest. Each member of such a cooperative association must make individual application for the number of stock for which he desires permit. The approval of the application will be based upon the individual qualifications of the applicant. In no case will the total number of stock grazed under permit by all members of a cooperative association be allowed to exceed the established maximum limit.

Use of Common Brand or Mark.

The use of a common mark or brand and the distribution of profits, losses, and running expenses on a pro rata basis will not be considered objectionable, if conclusive proof is submitted to show that no part of the benefits derived from grazing each specific number of stock upon the National Forest range is to be shared by others than the permittee.

Firm, Partnership, or Copartnership.

An association of two or more persons who join together their money, labor, or goods for the purpose of carrying on a business enterprise with intent to divide profits and losses in proportion to the capital, labor, or stock contributed, each member of the firm holding a joint interest in the property of the firm and being jointly responsible for any liability or indebtedness, will be considered a partnership.

A firm or copartnership must be in either class B or class C, for it can not be in class A. It can establish a grazing preference in two ways. By use and occupancy of the lands included within the Forest prior to its creation, and by the purchase of the stock or ranches, or both, of a permittee under conditions justifying a renewal of the permit.

Corporation.

A body formed and authorized by law to act as a single person during a fixed or indefinite period as specified in the charter. Title to all corporate property is vested in the corporation, shareholders having only an undivided interest in the business and assets of the corporation, represented by transferable shares of stock, and usually being exempted from personal liability for the debts or obligations of the corporation.

A corporation can not be given the same consideration as an individual owner; it must be in class B or C. Between two corporations,

one composed of local residents and the other of nonresidents, preference will be given the local corporation. In no case will the individuality of the members of a corporation be considered in competition with independent individual owners.

Partnerships or Corporations as New Applicants.

Grazing permits will not be issued to new firms or corporations when the members or stockholders of either such firms or corporations hold permits to graze numbers of stock which combined exceed the maximum limit established for the Forest. The consolidation of permits will not be allowed when the combined number of stock is more than the maximum limit.

Married Women, When Recognized as Class A.

A married woman whose husband holds a grazing permit will not be recognized as a class A new applicant unless she is in some way debarred from sharing in the grazing privilege enjoyed by her husband, owns and resides upon an improved ranch separate and apart from that of the husband, and is entirely dependent upon her own resources for a livelihood and the maintenance of her home. The technical division of the home, ranch property, or live stock owned by a man and wife will not qualify the latter as a class A new applicant.

Married Women, When Recognized as Class B.

If the State laws give a married woman the right of independent ownership of real estate and live stock or if she has qualified as a femme sole or sole trader, thereby acquiring legal right of ownership and legal responsibility, and she possesses the other qualifications which entitle her to a grazing permit, she may be recognized as a class B applicant, and as such her application may be approved regardless of the grazing privileges held by her husband. If, however, the laws of the State provide that all property be held in common, the woman will be considered as owning the number of stock for which her husband holds permit.

Married Women as Purchasers.

Where the wife applies to graze stock she has purchased, again the State law on ownership would govern. If independent ownership is allowed and the purchase of the stock and ranches is strictly the wife's transaction, a renewal of the permit may be allowed even though the combined holdings of the husband and wife exceed the maximum limit. If the State laws require all property to be owned in common, then a permit can not be renewed on the purchased stock which would make the combined holdings of husband and wife exceed the maximum limit.

Unmarried Women.

An unmarried woman of legal age is entitled to full consideration as a new applicant if she desires to take out a grazing permit.

Minors.

Minors who were not occupants of the range at the time of the creation of the Forest will not be granted permits upon fully stocked Forests except when they are at the head of a family dependent upon them for support. Minors under the control of parents or guardians may be granted permits if such action will not necessitate reduction in existing permits or the denial of applications of other class A owners.

Estates.

Pending the division of an estate, a full renewal of the permit held by the deceased should be allowed in the name of the estate and the duly appointed administrator.

Heirs to Permitted Stock.

As a general rule an heir or devisee should be considered as in the same class with one who has purchased stock grazed under permit. Upon the issue of a court decree dividing the estate the privileges allowed the estate will be granted the beneficiaries under the rule governing the renewal of permits on account of purchase, except that the permit for that portion of the stock allotted by the court decree to the widow or minor heirs will not be subject to the reduction made in the renewal of permits to purchasers.

Lessees and Herders.

A person leasing stock or running it on shares or herding it for the permittee is regarded as an employee only and he can not be allowed any preference in the use of the range by virtue of the fact that he has run the stock under lease or on shares or has handled it for the owner. The status of the owner determines all preferences allowed in the issuance of grazing permits.

Forest Officers.

Forest officers may share in the use of National Forest ranges if otherwise qualified as permittees, but action upon their applications must be in accordance with the "Rules of conduct," page 29, General Administration section, National Forest Manual.

Persons Under Indictment.

Except in cases where renewal of permit is considered by the district assistant to the solicitor or the United States attorney to be prejudicial, a person who has been charged with or indicted for any form of trespass on National Forest land, or for timber or land frauds against the Government will, pending the settlement or adjudication of his case, be allowed the renewal of any permit to which he is otherwise entitled by reason of previous use under permit or the purchase of permitted stock under conditions warranting renewal, but such a person will not be recognized as a new applicant or granted privileges to which he is not entitled because of prior use or the purchase of permitted stock until the charge or suit against him has been adjusted. When necessary to protect the interests of the Government the person charged with or indicted for trespass or fraud against the Government may be required to furnish a bond, to insure future compliance with the regulations, before permit will be issued, the bond to be in a sum determined by the supervisor and approved by the district forester.

Reputation of Applicant.

Persons will not be denied grazing privileges because of their reputation or moral or social standing in the community, if possessed of the qualifications prescribed by the regulations. The determination of guilt or innocence and the imposition of penalties should be left to the properly constituted courts.

Temporary Use of Range.

The provisions of regulation G-14 and the instructions issued thereunder apply primarily to National Forests which are, or soon

will be, fully occupied by the stock of permittees in classes A and B. In Forests where the supply of forage is in excess of the requirements of permittees in classes A and B temporary permits may be issued to applicants who do not possess any or all of the qualifications prescribed, or to qualified permittees who are already grazing numbers of stock representing their fair share in the permanent use of the Forest range. Before issuing temporary permits the supervisor should ascertain that the surplus forage can not best be utilized by a better distribution of the permitted stock and assure himself that applicants of classes A and B will not be excluded or deprived of increases in permit number.

Permits allowing the temporary use of any unallotted range within a Forest should stipulate that no grazing preference is given and that renewal of the permit may not be allowed during the following year, and the words "temporary permit not renewable" should be written or stamped across the face of the permit in red ink.

PREFERENCES. (Reg. G-15.)

No Legal Rights.

No one can acquire a right to the use of National Forest range, but he may acquire a preference in the allotment of grazing privileges. This preference does not entitle him to continued use of a certain part of a Forest, but only to a preference over other applicants less entitled to consideration in the use of the ranges open to the class of stock which he wishes to graze. From their very nature these preferences possess relative degrees of superiority and consequently have a number of gradations.

Value of Privilege.

Certain grazers may be given preferences in ranges secured by prior use and occupancy, supplemented in many cases by heavy investments in improved property and water rights. These preferences have a distinct value, and failure to recognize them would mean a financial loss by reducing the number of stock which may be grazed and by the depreciation in the value of lands and improvements. Two conditions only justify such action—when necessary to stop damage to the Forest, and when necessary to promote the settlement and cultivation of farming lands tributary to the Forest through a wider distribution of the grazing privilege. It is incumbent on the service to allot limited privileges to actual settlers in order to accomplish this latter purpose, but a promiscuous division of grazing privileges among a number of owners who are neither new settlers nor dependent upon the range is unwarranted. New class B applicants will be granted permits only when the Forest is not fully stocked and no reductions in the permits of other users will be necessary to accommodate them.

New Forests or Additions.

During the first season after the creation of a new Forest or addition grazing privileges will be allotted on the basis of prior use and occupancy. Bona fide class A settlers may be recognized as new owners, but with this exception permits will be restricted to those stock growers who submit proof of previous use and occupancy during two or more years. No permit should be granted for a number of stock larger than the average number grazed by the applicant during the two years preceding the establishment of the Forest, unless the

applicant, as a class A settler, is reasonably entitled to increase toward the protective limit. After the first season the apportionment of grazing privileges will be strictly in accordance with the following rules of preference:

Order of Preference.

Applicants for grazing permits will be given preference in the following order:

Class A. Small near-by owners.—A class A owner is one who does not own more than the protective limit number of stock established for the Forest or division, who owns and resides upon an improved ranch within or adjacent to the Forest, and who is dependent upon the use of the National Forest range in connection with his ranch property. Until the protective limit is defined it is within the discretion of the supervisor to determine whether an applicant is a large or small owner. A firm or corporation can not be considered as a class A applicant, but may be allowed exemption from reduction below the protective limit.

Class B. All other regular occupants of the range.—Class B includes owners of improved ranch property and stock in excess of the protective limit, and owners of stock either above or below the protective limit who do not own improved ranch property. Copartnerships, companies, and corporations may be class B owners. Upon Forests which are fully stocked all permittees in this class must secure their permits on the basis of prior use and occupancy or the purchase of the stock and ranches of persons holding permits.

There may be several grades of class B applicants. One who owns a large amount of improved ranch property, or one who resides in the vicinity of the Forest, or who has used the range during a long period of years, or who feeds his stock during the winter, may be given preference over one who does not own improved ranch property adjacent to the Forest, or who resides at a distance from the Forest, or who has only used the range a few years, or who winters his stock on the range. Class B permittees are subject to sliding-scale reductions, although usually such reductions are not applied to permits for less than the protective limit.

Class C. Owners of transient stock.—Class C embraces all grazing applicants not falling within classes A and B. A speculator who buys stock and places it upon the range at intervals or the nomadic stockman with no fixed range who trails his stock to widely separated ranges would be class C owners. Class C applicants will be entirely excluded from the Forest before any reduction is made upon class B applicants.

New Settlers Not Class A.

New settlers upon unimproved Government or patented lands will not be regarded as class A applicants until they have demonstrated the good faith of their settlement by three years of residence, improvement and cultivation, and by compliance with the United States land laws, or satisfaction of contract agreements. They may, however, be granted the same preference in the use of the range that is granted to bona fide class A applicants, provided that the grazing privileges granted will be temporary in character during the three-year period, and will not be in excess of the settler's actual needs or so large that they will appear to be the principal object in filing upon or purchasing the land. (See "Permits to new owners.")

Status Determined by Holdings.

An applicant's status is determined by the total number of all classes of stock owned by him. He can not be a class A cattle owner and a class B sheep owner. If he owns either class of stock in excess of the protective limit for that class he is a class B owner, or if he owns a per cent of the cattle protective limit and also a per cent of the sheep protective limit, which combined exceed 100 per cent, he is in class B. For example, the protective limit being 100 head for cattle and 1,200 head for sheep, if he owned 50 head of cattle and 500 head of sheep (92 per cent) he would be in class A, but if he owned 75 head of cattle and 750 head of sheep (137 per cent), he would be in class B. An applicant owning sheep and cattle may, however, be in both class B and class C.

Ownership of Ranch Property.

Ranch property will ordinarily be construed to mean lands producing cultivated crops which are used for feeding live stock, but in localities where the production of feed is not a requisite to the stock business, the ownership of spring and fall range or lambing grounds by a bona fide local resident dependent upon the use of the range, should be given nearly the same if not equal weight with the ownership of cultivated lands. The same is true of the ownership of water rights which control adjoining National Forest range. Property of this sort must be commensurate with the number of stock and actually dependent for its value upon National Forest range. To illustrate, a spring and fall range and lambing ground sufficient for 1,000 head of sheep might justify the approval of an application for a permit to graze 1,000 or less sheep upon a National Forest during the summer season, but not of an application to graze 2,000 head of sheep during the summer season or to lamb and graze 1,000 head of sheep during the spring and fall seasons.

Dependence Upon Range.

A person will be considered dependent upon the use of the National Forest range when the forest lands adjacent to his own contain the only available stock range, and the grazing of a limited number of stock is essential to his success in the development of his land.

Residence.

Residence is simply an index in determining the degree of dependence. A person residing at a distance from a National Forest must have other ranges open to him and can not be considered so dependent upon forest range as one residing near by.

Retention of Preferences.

Grazing preferences can only be retained by a continual use of a range. Applicants who apply to graze a reduced number of stock can not expect range to be reserved for them for a higher number later on. In the case of a voluntary reduction other applications may be approved for the number by which the first permit was reduced. The preference thus gained will not be surrendered because the first permittee applies a year or two later to graze the original number of stock.

Nonuse of Range.

Applications from persons with established preferences will not be disapproved for nonuse of the range during one year if a statement giving satisfactory reasons is filed with the supervisor before the

opening of the grazing period, so that the supervisor may make temporary disposition of the vacant range. Permits allowing the temporary use of such a range should stipulate that a renewal of the permit may not be allowed during the following year.

Nonuse of a range by a new applicant will cause him to forfeit all preference which has been allowed him.

State or Federal Employees.

Permittees employed by the State or Federal Government, who wish to discontinue the use of the range without losing their preferences, may do so by filing a statement of their employment and probable duration, the disposition made of their stock, and authorizing the supervisor to dispose of their range privileges. Upon the expiration of their term of service their preference in the allotment of permits may be restored to them subject to any reductions or restrictions made during their absence or effective at the date of their reapplication.

Except in the case of Federal or State employees, nonuse of the range for more than one year will cause the permittee to lose all preference on account of prior use of the range.

Waiver of Preference.

Where the renewal of a permit is allowed a purchaser of stock, a written waiver (Form 763) of all claims by the original permittee to a renewal of the permit for the stock sold should be filed with the supervisor. This leaves the supervisor free to renew the permit to the purchaser, if such action is justified, but no action should be taken by the supervisor which in any way obligates the Forest Service to allow a renewal of the permit.

A person who has signed a waiver of grazing privileges will not be recognized as a new applicant until after three years from the date of waiver, but may secure at any time a renewal of permit as a purchaser of permitted stock. (See instructions "Permits to purchasers of permitted stock," p. 65.)

Foreclosure of Mortgage.

If a mortgage on stock is foreclosed, the permittee does not lose his preference in a permit for the following season and unless he has returned his permit to the supervisor and consented to the issuance of a permit to the mortgagor as a purchaser for the remainder of the grazing period, he may replace the stock. The person foreclosing the mortgage may be allowed, with the consent of the permittee, to continue grazing the stock during the remainder of the current grazing period under the same conditions as a purchaser, but secures no privileges of renewal unless the owner of the stock signs a waiver of his renewal preferences. (Also see "Permits to purchasers of permitted stock," p. 65.)

The foreclosure of a mortgage covering both stock and ranch will not cause a permittee to lose the preference allowed him in use of the range if he replaces the stock and secures another ranch equally dependent upon the range.

Nonownership.

An applicant who does not own the stock for which permit is desired, but whose prior use of the range entitles him to consideration, may secure a grazing permit on his certification that the stock will be purchased.

Transfer to Another Forest.

A grazing preference can be transferred from one Forest to another only when the first Forest is overstocked and the second Forest is understocked and the transfer will be generally beneficial. In this event a transfer may be allowed if both supervisors approve.

PROTECTIVE AND MAXIMUM LIMITS. (Reg. G-16.)**Protective Limits, General Purpose.**

Protective limits are established to protect permittees from reductions in the number of stock which they are allowed to graze under permit to a point where it is too small to be handled at a profit or to contribute its proper share toward the maintenance of a home. The average number of stock which a settler must graze in order to utilize the products of his farm or derive a reasonable profit will be determined upon each Forest or, if necessary, upon each grazing district thereof, and will serve as the basis for the protective limit.

How to Determine Proper Protective Limit Number.

In arriving at this average number the dependence of settlers upon National Forest ranges will be considered. Where stock growing is the only pursuit in a region, the number of stock guaranteed a settler must be sufficient to support his family. In an agricultural region where the product of the farms is fed to stock, the number should be sufficient to consume the forage produced by the average farm. However, in determining the proper protective limit number the conditions actually existing in the locality will be given consideration in preference to theoretical computations of operating expenses, investments, and profits. In a locality where the permittees maintain their homes in normal circumstances with an average holding of 60 cattle, it is unreasonable to state that 200 cattle is the least number that can be handled at a profit. A protective limit materially in excess of the average number per permit means that the primary purposes of the limit must be disregarded if the Forest is not to be overstocked or many of the permittees excluded.

Variation in Protective Limits.

Protective limits have been established for various Forests running from 25 to 300 head for cattle and horses, and from 500 to 2,000 head for sheep and goats. The limit on sheep is proportionately higher than on cattle, because as a general rule the cost of handling is increased by requiring a man to run less than one full band. With cattle or horses, which can be turned loose upon the range, a proportionately smaller number of animals can be run with profit. Under ordinary conditions the average number of stock per permit may be the basis for the protective limit of the Forest.

Establishment of Protective Limits.

When in the judgment of the district forester it becomes necessary for the protection of class A owners, he will establish protective limits for each kind of stock, and renewals of all permits within such limits will be made without reduction. It will be within the discretion of the district forester to establish limits uniformly applicable to the entire Forest or special limits for each grazing district of the Forest. A holder of a permit for one class of stock may secure a permit for another class, providing the number holds the inverse ratio to the protective limit. For example: A holder of a cattle permit for 75 head

on a Forest where the protective limit is 100 head may also be allowed a permit to graze 300 sheep if the protective limit on sheep is 1,200 head.

Maximum Limits, General Purpose.

When necessary to prevent monopoly in the use of the range through the purchase of permitted stock and ranches or to effect a wider distribution of grazing privileges, the district forester will establish a maximum limit in the number of stock allowed any one applicant, such limit to be effective within a part of a Forest, an entire Forest, or a group of contiguous Forests, as decided by the district forester. No permittee will be allowed to increase the number of stock above this limit. When necessary reductions in permits for more than the maximum limit will be made in accordance with the sliding scale.

Renewals of old permits in excess of the maximum limit may be allowed, but the purchase of stock and ranches will not entitle the purchaser to a renewal of permit in excess of it. Exception to this rule may be made by the district forester when an established outfit holding permit in excess of the maximum limit is sold to a single purchaser.

Relation to Protective Limit.

Ordinarily the maximum limit will be from four to eight times the protective limit. Upon a Forest where the average number per permit is high the maximum limit should be correspondingly high. A safe rule is to set a limit which is not less than double the protective limit and not more than the highest permit.

The maximum limit does not apply to permits issued on account of private lands or to permits issued under a cooperative agreement.

RENEWAL OF PERMITS. (Reg. G-17.)

Change of Residence.

A permittee with an established preference may change his residence to a point more remote from the Forest without disqualifying for a renewal of permit, provided he retains his other interests.

Disregard of Winter Feeding Clause.

A permit issued upon condition that the stock would be fed during the winter upon the products of the permittee's ranch will not be renewed if the stock were not so fed during the winter preceding the season for which permit is desired.

Sale of Ranch.

A permittee having a range preference based on ranch property located in or adjacent to the National Forest may dispose of such ranch property without entirely disqualifying himself for a renewal, but unless he secures similarly located ranch property his classification is changed, and the renewal of the permit should be on the basis of the changed classification.

Change in Class of Stock.

A renewal of permit may be allowed for a class of stock different from that previously grazed. It may require relinquishment of one range and acceptance of another on some other part of the Forest. The ratio of exchange will depend on the demand and the capacity of the ranges in question. A permittee grazing cattle upon a heavily

stocked range in strong demand may be allowed to graze sheep on the same range on a ratio of 4 to 1. If they are to be grazed on a heavily stocked sheep range, the ratio should be 4 to 1. If on sheep range, but not heavily stocked, the ratio should be not more than 5 to 1. If on sheep range where there is surplus range available, the ratio may be as high as 6 to 1.

Partnership Agreement.

A permittee having an established preference may enter into partnership agreement with another person not a permittee, and secure a renewal of his permit in the name of the partnership, the proportionate interest transferred being subject to the rules governing the renewal of permits to purchasers.

Dissolution of Partnership.

Partnership ordinarily means joint ownership of the stock and ranches, and the renewal to each member depends upon the division of each that is made. Signed agreements showing this division may be required by the supervisor.

A renewal on the division of stock and ranches may give a member preference in the range for a certain number of stock, but it does not define his status or whether he is in class A, B, or C.

Division of Outfits.

In the renewal of a permit held by a partnership to the individual members, the same reductions will be made on the total number of stock grazed the previous year as would have been made on the original permit, each renewed permit bearing its pro rata share of such reduction. The stockholders of a corporation which has dissolved may be allowed a renewal of permit under the rules governing renewal of permits to purchasers.

Renewal to Estates.

In case of the death of a qualified permittee, a full renewal of permit will be granted in the name of the estate and the duly appointed administrator, until the estate is divided and distributed among the heirs by court decree. Renewal of permit to the heirs will be in accordance with the instructions governing the issuance of permits to purchasers of permitted stock.

Estate Not Property of Heirs.

An estate that has not been divided by court decree will not be considered as belonging to the heirs or devisees, even though the property may have been specifically apportioned by will, or by agreement between the interested parties. Pending division, the grazing privileges enjoyed by the respective heirs will not alter the status of the privilege held by the estate, nor will that privilege alter the status of the heirs, until divided.

INCREASES AND REDUCTIONS.

Increases Above Protective Limit.

Increases above the protective limit will be allowed only to purchasers of stock and ranches of permit holders, and any such increase will not exceed the maximum limit.

Increases.

Class A permittees owning a less number of stock than the protective limit will be allowed to increase their number gradually but may

be restricted in the number added each year. Old class A users may increase at once to the number allowed new applicants. Beyond this number increases will be by fixed percentages established by grades. On fully stocked Forests the total increase allowed combined with the total number allotted new settlers must not be more than 3 per cent of the allotment except when a surplus in excess of this percentage is created by the reduction on permits renewed to purchasers. The supervisor will determine the division of the allotment which will be made between new settlers and persons whose permits are below the protective limit.

Increase in Term Permits.

Term applications for less than the protective limit may be amended to allow the same annual increase that is allowed annual applicants until the protective limit is reached.

Reductions.

Where reductions are necessary, each grazing district will be considered as a unit, and the permittees occupying it will be required to meet any reductions necessary to prevent damage to the district or to provide range for new applicants entitled to graze within the district. Reductions will be based upon the number of stock grazed under permit the previous year. When there is unused range on other districts within the Forest, permittees who desire to transfer a part or all of their permitted stock to such range will be given a preference in its use.

Exclusion of Class C.

Whenever it is found necessary to reduce the number of stock allowed in any Forest, class C stock will be excluded before the other classes are reduced.

Reduction by Sliding Scale.

The reduction on a sliding-scale basis will be made on the class B owners. Class A owners will be exempt from reduction.

Sliding Scale.

The following is an example of the ordinary form of sliding scale:

The protective limit having been fixed at 1,200 head of sheep, all permits for not more than that number may be renewed without reduction.

All permits for less than 1,200 sheep may be increased 20 per cent, provided none goes above 1,200 head.

All permits for from 1,200 to 2,400 sheep will be reduced 10 per cent, provided none goes below 1,200 head.

All permits from 2,400 to 4,800 sheep will be reduced 15 per cent, provided none goes below the highest number allowed in the next lower grade, or 2,160.

All permits for more than 4,800 sheep will be reduced 20 per cent, provided none goes below the highest number allowed in the next lower grade, or 4,080 head.

Another form of sliding-scale reduction which may be adopted is as follows:

All permits may be renewed without reduction on the first 1,200 head of sheep.

An increase of 20 per cent may be allowed on all permits for less than 1,200 head.

All permits will be reduced 20 per cent on the number in excess of 1,200 and up to 2,400 head.

All permits will be reduced 25 per cent on the number in excess of 2,400 and up to 4,800 head.

All permits will be reduced 30 per cent on the number in excess of 4,800 head.

The percentage reduction may be changed under either plan to fit the local conditions.

Method of Applying Sliding Scale.

When a sliding-scale reduction figure has been worked out it may be applied in the following manner, varying the percentages to suit

the situation. All applicants who do not own improved ranch property or who are nonresident ranch owners and winter their stock upon the open range will be reduced the full percentage of their class. Resident ranch owners who winter their stock upon the adjoining open range, regular users who purchase winter feed for their stock from resident ranch owners, and nonresident ranch owners whose stock is wintered upon the products of their lands will be reduced 75 per cent of the reduction figure. Owners residing upon their improved ranches and wintering their stock upon the products of their lands will be reduced 50 per cent of the reduction figure.

Reductions in Term Permits.

All applications for grazing during a term of years, which are approved for more than the protective limit, will be granted subject to an annual reduction not exceeding 5 per cent to provide for the issuance of permits to new settlers within, or in the immediate vicinity of, the National Forest, and subject to any additional reduction which may be necessary to stop damage to the Forest.

While the percentage of reduction to provide for new settlers will not exceed 5 per cent, the reduction to stop damage to the Forest may be as large as necessary to secure the result. As term permits are not authorized until the number of stock grazed has been reduced to the normal capacity of the Forest, it is not probable that severe reductions will be required.

At the expiration of the term permit the 5 per cent clause to provide for new owners ceases to be binding on the service, and the application in its renewal is subject to any percentage of reduction that is effective on the Forest at the time.

Deferred Reductions.

In cases where the topography makes it impossible to assemble and utilize range made available by a sliding scale reduction the reduction upon permits for such range may be deferred until the following year or until the range can be utilized by other permittees. The permit should contain a stipulation that it is subject to the specified reduction in the next year.

PERMITS TO PURCHASERS OF PERMITTED STOCK. (Reg. G-18.)

Free Permits to Purchasers.

In case a permittee sells stock under permit and the purchaser wishes to continue to graze it on the National Forest, upon presentation to the supervisor of evidence that the sale is bona fide the original permit will be canceled and a new permit issued to the purchaser without charge for the remainder of the season. If only a portion of the stock is sold, an amended permit for the number of stock retained will be issued to the original permittee. No transfer of fees on the record is necessary in such cases. Cross-reference entries will be made on the record cards. Renewal of permit the following season will be in accordance with the following rules.

Minimum Period Between Renewals.

In order to prevent speculation, renewal of permit will not be allowed a purchaser of permitted stock if the original permittee has used the range less than three years. A permit granted because of the purchase of permitted stock may, however, be renewed to a

second purchaser after the expiration of one year from the date of the permit issued the first purchaser. This rule will also apply when the permittee who proposes to sell is a member of a partnership.

Subject to Reduction in Renewal.

All permits issued to purchasers of permitted stock are subject to any reductions that would have been made in the original permit.

Sale of Stock After Approval of Application.

When stock is sold after the application for a grazing permit has been approved and prior to the beginning of the grazing period, the original application will be canceled and the application of the purchaser will be approved upon its merits, subject to the regulations governing the issue of permits to the purchasers of stock.

Purchaser Must Observe All Requirements.

All conditions, stipulations, and agreements which were binding upon the original permittee will also be binding upon the purchaser of permitted stock, and a renewal of permit may be denied for failure to observe all requirements. For example: A permit issued upon condition that the stock would be fed during the winter upon the products of the permittee's ranch will not be renewed to a purchaser of the stock except upon the same condition, and will be discontinued upon failure of the purchaser to observe the terms of the stipulation.

Purchase of Stock Only.

No renewal of permit will be granted to a purchaser of permitted stock unless he is qualified, by ownership of ranch property and in other requisite ways, to share in the use of the Forest ranges.

Purchase of Stock Only by Owner of Improved Ranch.

A purchaser of permitted stock who owns ranch property commensurate and so located that it will be used in connection with the stock, or who acquires such property from persons other than the original permittee, may be allowed a renewal of permit for not to exceed 80 per cent of the number of permitted stock purchased, provided that the maximum limit restriction is not exceeded.

Purchase of Stock and Ranches.

If the ranch property is commensurate and used in connection with the permitted stock, the purchaser of both the stock and ranches of a permittee may be allowed a renewal of permit for not more than 90 per cent of the permitted stock purchased, subject to the maximum limit restrictions. If the ranch property is not fully commensurate a proportionate reduction should be made in the number of stock for which renewal of permit is allowed.

A renewal of permit may be allowed for the full number of stock purchased if the purchaser possesses class A qualifications and does not own a total of more than the protective limit number of stock.

Purchase of Ranch Property Only.

The purchase of ranch property or improvements used in connection with permitted stock does not convey any right or preference to a share in the use of Forest lands and no renewal of permit will be allowed solely on the basis of such a purchase. A purchaser of ranch property previously used in connection with permitted stock will be considered only as a new applicant or as the purchaser of other permitted stock.

In cases where the permitted stock are removed from the Forest, the purchaser not intending to continue in the use of the Forest lands, and where the permittee has signed a waiver (Form 763) the purchaser of the ranch property will be given a preference over other new applicants to the extent of being placed at the head of the list and granted first consideration.

Ranch Property.

Property, such as town lots, fruit land, or mineral land, which does not bear a direct relation to and is not dependent upon the live stock for its best use, will not be accepted as a basis for the renewal of permit to the purchaser of permitted stock. The character of the property and the degree of its use in connection with the stock must conform to the general requirements and practices of the locality.

Relation of Ranch Property to Stock.

Where winter feeding is necessary the land must produce sufficient feed to winter the permitted stock and must be used for that purpose. Where winter feeding is not required the ownership of a headquarters ranch, spring, fall, or winter range, lambing grounds, or lands containing controlling sources of water supply may justify renewal. In every case the land must be used in connection with the permitted stock and be commensurate with the number of such stock for the purpose for which it is used.

Leased Land Not Acceptable.

The applicant for renewal must hold title to the lands, as leased lands do not meet the requirements of the regulations.

Transfers to Copartnerships and Incorporated Companies.

An individual permittee who enters into a copartnership agreement transfers only a part of his interests, consisting of his stock or ranches, or both, to the other members of the copartnership. Any subsequent transfer of his remaining interests affects the status of the copartnership as a permittee and generally is readily determinable. An individual permittee who transfers to an incorporated company makes a complete transfer, retaining no interest in the stock or ranches, but receiving instead an interest in the corporation through the medium of certain shares or certificates which are readily transferable, but which do not affect the status of the corporation as a permittee by their transfer. In renewal of permit to a copartnership only the proportionate interest transferred will be reduced in accordance with the rules governing the renewal of permits to purchasers, but in renewal of permit to a corporation the reduction will apply to the full number of stock transferred, even though the original permittee acquires and retains an interest in the corporation equivalent to his original interest in the stock grazed under his individual permit.

Involuntary Purchase Through Foreclosure.

The acquisition of permitted stock through the foreclosure of a mortgage, or a forced sale, conveys no privilege of renewal of permit unless the original permittee signs an agreement (Form 763) waiving all further claim to preference in the use of the range, nor does it exempt the purchaser from any of the provisions of the regulations governing the renewal of permits to purchasers, except temporarily as herein provided.

Temporary Permit to Involuntary Purchaser.

A temporary permit, effective during one season only and not subject to renewal, may be granted the purchaser of stock through a forced sale (a) when there is surplus range which may be used without undue interference with other permittees, (b) when the original permittee, while retaining his grazing preference and intending to place stock on the range after the expiration of one year, does not intend to replace the mortgaged stock during the season following the foreclosure.

Renewal in Case of Involuntary Purchase.

When the original owner has signed a waiver (Form 763) the purchaser of stock obtained by a forced sale may be allowed a full renewal of permit for the following season, with the understanding that at the beginning of the second year the reductions required by the regulations will be imposed and the rules in reference to the issuance of permits to purchasers of permitted stock will be strictly enforced.

If the stock is sold to a second purchaser during the year in which a full renewal is allowed the regular reduction will be made in the renewal of the permit during the following season.

PERMITS TO NEW OWNERS. (Reg. G-19.)**Applications Six Months in Advance.**

Applications from new settlers or beginners for grazing privileges on Forests or grazing districts which are fully occupied will not be considered unless filed with the supervisor at least six months before the beginning of the yearlong grazing season.

A reduction will be necessary, and proper notification should be given the other users of the Forest as soon as possible in order that they can adjust their business to meet it without loss.

Limited to 3 Per Cent.

When the range is fully occupied, the total number of stock allowed beginners in any one year plus increases to small owners must not exceed 3 per cent of the total allowance for the Forest or grazing district.

Maximum Reduction to Provide Range.

The application of beginners will not be approved in any case where this will necessitate a reduction in the renewal of any permit issued for the previous year which when combined with all reductions for other purposes will in any one year amount to more than 10 per cent of the permit of an owner of improved ranch property commensurate with the permitted stock or 20 per cent of the permit of a regular user not owning such property.

Preference to Citizens of State.

If all other conditions are equal new applicants who reside within the State in which a Forest is located will be given a preference over applicants who reside in adjoining States.

When Not Allowed.

New applicants will not be granted permits to graze stock within any Forest or part thereof where the average number of stock per permit is less than 80 per cent of the protective limit number. Where this condition exists the further division of grazing privileges among a larger number of persons is a hardship upon persons already holding

permits and detrimental rather than beneficial in its effect upon the local welfare.

When Restricted to One-fourth of Protective Limit.

Upon Forests or parts thereof where the average number of stock per permit is between 80 and 100 per cent of the protective limit number, none but class A new applicants will receive favorable consideration. The number of stock the new applicant will be allowed to graze during the first year will be not more than one-fourth of the protective limit number; permit will be issued only for stock that is to be wintered upon the products of the applicant's ranch, and will not be renewed if winter feeding is discontinued. Where the average holding per permit is so low the admittance of additional permittees is justified only when the new applicants absolutely require limited grazing privileges in order to dispose of the products of their ranches which can be marketed only by feeding them to live stock.

When Restricted to One-half the Protective Limit.

Upon Forests or parts thereof which are fully occupied by stock but where the average number per permit is above the protective limit none but class A applicants will receive favorable consideration. The maximum number of stock they will be allowed to graze the first year is one-half of the protective limit number.

When Allowed for Full Protective Limit Number.

Upon Forests or grazing districts that are not fully stocked, bona fide class A permittees may be granted permits to graze the full protective limit number of stock. If there is surplus range new applicants of class B—i. e., ranch owners grazing more than the protective limit number of stock—may also be allowed permits up to the protective limit number, provided that the issuance of permits to them will not entail a reduction upon other occupants of the range or debar class A applicants.

Temporary Allowances.

If after providing for all qualified applicants of classes A and B there is still a surplus of range, temporary permits may be granted to new applicants of class C.

Determination of Average Number of Stock per Permit.

For the determination of cases arising under the above instruction the average number of stock per permit will be the full number of stock upon which grazing fees have been paid plus the additional number of stock covered by the on-and-off provision of regulation G-6, divided by the full number of paid permits which have been issued for the area within which the average is to be determined. When local conditions warrant it the supervisor may waive consideration of all permits for less than 10 head of stock.

Disqualified by Waiver.

No person who has signed a waiver of grazing privileges will be recognized as a new applicant until after three years from the date of the waiver.

Status of New Settlers.

New settlers upon unimproved lands in either Government or private ownership may be granted temporary grazing privileges which will be contingent upon continued residence upon the lands, improvement, and compliance with the United States land laws or contract

agreements, and will not become permanent until after three years' use of the range. They may, in the discretion of the supervisor, be limited in their initial use of the range to not more than one-half of the number of stock allowed established, bona fide, class A new applicants, with the understanding that they will receive annual increases which, at the end of the three-year temporary period, will allow them to graze the same number of stock as other class A new applicants. Subsequent to the expiration of the three-year temporary period their status will be the same as that of other class A new applicants.

GRAZING PERMITS.

Issuance of Grazing Permits.

Upon receipt of notice by the supervisor that the fees have been paid a permit will be issued. It will be prepared in triplicate. The original, accompanied by the original letter of transmittal, will be sent to the permittee, one copy to the ranger interested, and one copy filed in the supervisor's office.

Herder's Identification Card.

The owners of stock which is kept under herd upon the National Forests will be furnished with cards (Form 976) for the identification of their herders by Forest officers.

When Fee Paid is Less than Amount Due.

When the amount paid is less than the amount due, the supervisor will notify the applicant to remit the remainder, withholding the permit until he does so. If after a reasonable time the applicant fails to remit the additional amount due, the supervisor may issue a permit for the number of stock which the grazing fees paid will cover.

Issued Only for Authorized Periods.

Grazing permits will be issued only for authorized periods. If the use of Forest land throughout an established season will be injurious to Forest interests the district forester should be requested to establish a shorter grazing period.

Date Yearlong Permits will Begin.

Yearlong permits will begin at the opening of the summer grazing season and end on the day preceding the corresponding date of the following year.

Designation of Term Permits.

Permits based upon term applications will show the term of years and the permits' relation to that term, thus: "Five-year period, first year," or "Three-year period, second year."

Special Rules Must be Incorporated in Permit.

A digest or summary of any special rules which have been established by the district forester under authority of regulation G-3 must be incorporated in each permit allowing the use of the range district within which the rules are effective. This may be typewritten on the reverse of the permit.

Range Description in Permit.

The range to be occupied should be clearly stated in each permit, otherwise a suit for trespass brought against a permittee for grazing his stock on the ranges of others may fail. A description such as "District No. 1" or "Mormon Lake Division" should not be used

unless it is intended that the permittee shall occupy the entire unit. A person holding a permit allowing him to graze his stock "upon range to be designated by the ranger in charge" may, without fear of successful prosecution, occupy any part of the Forest until through the designation of his range in a plain and unmistakable manner his permit becomes limited in its scope. If the space on the face of the permit is insufficient the range description may be written upon the back. A grazing permit is a business agreement, presumed to mean just what it states, and it will be so regarded in cases of trespass, consequently it should be carefully prepared.

Map to Accompany Permit.

The practice of furnishing each grazing permittee with a small blue-print map showing his own and the adjoining range allotments is one which should be followed where the boundaries of individual allotments do not conform to readily describable topographic features or are not adequately marked with posters (Form 222).

Permits Do Not Authorize Grazing on Private Land.

Persons holding permits for ranges which embrace patented lands or valid claims under the homestead and mineral laws should, if necessary, be warned that the permits issued by the Forest Service do not grant authority to graze stock upon any except National Forest lands and that the use of private lands and valid claims must be with the consent of the owner or claimant.

The Government is not responsible for the intrusion of permitted stock upon private lands. Controversies between the owner of the stock and the owner of the land must be settled in the State courts under the State laws.

Review of Permits.

The district forester may, in his discretion, require copies of permits issued to be sent to him for review.

CANCELLATION OR REVOCATION OF PERMIT. (Reg. G-20.)

Cancellation.

Cancellation requires the consent of the permittee and the surrender of the permit. Reference to the district office is not necessary unless by some unusual circumstance the permit was authorized or issued by the district forester. The officer canceling the permit will assure himself that the permittee will not be relieved of any existing obligation and that the cancellation of the permit will not be inimical to the best interests of the Government. A brief memorandum of the reasons for the action will be prepared and filed with the canceled permit.

Revocation.

A permit may be revoked without the consent of the permittee or surrender of the permit.

The permittee will be advised of the reasons rendering necessary the revocation of permit, and will be allowed a reasonable time within which to show cause why the permit should not be revoked. This notification must be by personal service or registered mail.

Upon receipt of a statement from the permittee, or after the expiration of the time limit established, the issuing officer will prepare a report to his official superior to whom he will transmit the entire record of the case.

Upon receipt of the issuing officer's report and the record of the case the superior officer will refer the case to the district assistant to the Solicitor for an opinion upon the legal phases of the matter. If the recommendation for revocation of permit is sustained by the evidence submitted, and if there is no legal objection to the revocation of permit, the official superior of the issuing officer will address a letter to the permittee declaring the permit null and void and of no effect on and after a certain definitely established date.

BONDS. (Reg. G-21.)

The supervisor may require the owners of stock to give bond to insure payment for damage caused by violation of the terms of the permit. The amount of the bond will be determined by the Supervisor.

Ordinarily it will be for not less than twice or more than four times the amount of the grazing fee, or an amount which represents approximately the actual value of the forage.

A bond may be required of a former trespasser preliminary to the issuance of a permit, or of a permittee who has, during two successive seasons, disregarded the regulations, or whose employees are inclined to violate the regulations or disregard the orders of the Forest officers.

The supervisor will prepare the bond on Form 377, stating the number and kind of stock, describing the range, and stipulating that the stock will graze only on the area described. After approval by the District assistant to the Solicitor, he will send it to the applicant with the notice of approval of his application for execution. Upon its return the supervisor will approve it if he is satisfied with the sureties. The permit will not be issued until the bond is approved.

All bonds required in connection with grazing permits will be filed in the supervisor's office.

SETTLEMENT OF CONTROVERSIES. (Reg. G-22.)

An appeal to the district forester should be prepared in accordance with the instructions governing the preparation of appeals. (See "Appeals," p. 73). It should be filed in duplicate with the supervisor, who will at once transmit one copy to the other party, with notice that 10 days from its receipt are allowed for answer. The answer should be in duplicate and should contain the statement of material facts required by the procedure under "Appeals," page 73. One copy will be transmitted to the original appellant, who will be allowed 10 days to make his final reply. All statements of appellants will be in writing and verified by oath, and may be accompanied by affidavits of witnesses. The originals of these papers will then be forwarded to the district forester, and no other evidence will be taken unless called for by him. A copy of the supervisor's decision in the case will, of course, accompany the appeal papers. Pending decision the party occupying the range will be allowed to continue its use, but must remove his stock within 10 days after receiving notice that the district forester has decided against him, unless an appeal be taken to the Forester or the Secretary of Agriculture. In case of such an appeal the person in possession of the range will be allowed to continue its use until a final decision has been rendered.

In case the appeal involves the use of a range where an advisory board has been recognized, copies of the appeal and answers may be referred to the advisory board with a request for a written opinion.

APPEALS. (Reg. G-23.)

Supervisor's Decision—Reconsideration.

Upon receipt of request for a reconsideration of a case, the supervisor will furnish the applicant with a copy of the grazing regulations and of the instructions upon which he based his decision, upon receipt of which the applicant will prepare his formal statement in writing, verify it by oath, and accompany it by affidavits of available witnesses. This statement when submitted to the supervisor will cover:

Actual and legal residence of applicant.

Period of residence.

Description and location of legal subdivisions of ranch property owned by applicant.

Character of ranch property owned by applicant.

(a) Improved farm land producing cultivated crops.

(b) Amount of summer pasture or range.

(c) Amount of winter pasture or range.

(d) Amount of land controlling water supply.

(e) Amount of forage produced annually.

Period of ownership.

Description of ranges upon which the stock was actually grazed during each of the years previously mentioned.

Number of years applicant has held a permit to graze stock on National Forest range.

Number of each class of stock grazed under permit during preceding year.

Number of each class of stock fed during each winter.

Quantity of forage fed during each winter.

Statement of reasons for reconsideration, citing the regulations and special instructions contrary to the supervisor's decision.

List of witnesses who can substantiate the preceding statements.

List of affidavits submitted in corroboration of statements.

And such other material facts as may have a bearing upon the case at issue.

Additional Time to Complete Evidence.

When all the evidence in the case has been filed by the applicant with the supervisor, he will examine the record carefully, and if evidence upon material points is lacking he will notify the applicant of the omission and advise him that he will be given 10 days additional in which to submit the missing evidence.

Supervisor's Formal Decision.

Within 10 days from the date of the filing of the completed record the supervisor will prepare a formal decision, discussing each point of the applicant's statement, and stating clearly the regulations and reasons upon which his decision is based. This will be forwarded by registered mail to the applicant.

Further Consideration.

Should the decision be adverse, the applicant may file written notice with the supervisor within 10 days from the receipt of the

registered decision, requesting a further consideration of material new evidence. The applicant will be advised by registered letter of the action taken upon his request, and if it is granted, will submit the additional evidence within the time set by the supervisor. If the request is allowed, the supervisor will prepare a final decision, which will be transmitted to the appellant in a registered letter. If the request is refused, or if the supervisor's final decision is adverse, the applicant may appeal to the district forester by filing written notice with the forest supervisor within 10 days from the receipt of the registered notification.

Appeals to the District Forester.

In an appeal before the district forester, the appellant and the forest supervisor may each file an argument or brief reviewing the previous decisions and the evidence in the case. New evidence will not be admitted unless the applicant's request for the consideration of new evidence had been rejected by the supervisor, in which event the new evidence may be submitted to the district forester, and if material, will be considered by him.

When an appeal is taken to the district forester the supervisor will forward the complete record in the case to him for his consideration. When this is received the district forester will review it and prepare a decision, which will then be sent by registered mail to the appellant, and a copy transmitted to the supervisor.

The supervisor's decision will not be reversed unless it is shown to be unwarranted by the facts, the regulations, instructions, or the law. When there is a variation in the statements of the supervisor and the appellant, but the preponderance of the evidence shows the supervisor to be justified in his action, he will be sustained.

Within 10 days from the receipt of the district forester's decision, an appeal to the Forester may be filed with the district forester.

Appeals to the Forester.

Where a case is appealed to the Forester the appellant may file one additional statement, reviewing the previous decisions and presenting the argument. The district forester will also file a statement. These two briefs, together with all papers in the case, will be presented to the Forester, and upon them his decision will be rendered.

Appeals to Secretary of Agriculture.

Appeals may also be taken to the Secretary of Agriculture from adverse decisions of the Forester. Any party availing himself of this privilege must, within 30 days from the time he receives notice of the Forester's decision, file with the Forester his petition for review by the Secretary of Agriculture. Upon receipt of the petition the Forester will submit all the papers to the Secretary.

Field Investigation.

A field investigation of an appeal case may be ordered by the district forester, the Forester, or the Secretary of Agriculture. The field examiner will submit a report, which will be considered at the time the decision is rendered.

Examination of Records.

Copies of answers or reports will be furnished the appellant in the discretion of the deciding officer. The appellant or his authorized agent may inspect the record of the case in the office of the supervisor, district forester, Forester, or Secretary of Agriculture, but will not

be allowed to remove any papers. Statements of witnesses which have been submitted can not be regarded as confidential if they are considered as testimony. The appellant should be given full knowledge of the material facts contained in such statements, and of the identity of the witnesses. Statements submitted in confidence and which must be treated as confidential can not be used as the basis for a decision.

Complaints.

Upon receipt of a complaint in the district office, the district forester will determine whether the information in the files indicates that the supervisor's action should be upheld. If so, the complainant will be informed in writing that the supervisor's handling of the case was correct. If not, the information will be secured, by field investigation if necessary, and the supervisor given instructions. Unless clearly in conflict with instructions and only where prompt action is necessary to prevent hardship, the supervisor's action will not be reversed on the basis of the record in the files when the complaint is received.

Part 5. PROTECTION.

(Counting stock—Damage by stock—Bedding sheep and goats—Disposition of carcasses—Salting stock—Quarantine and local laws—Eradication of predatory animals.)

COUNTING STOCK. (Reg. G-24.)

Counting corrals, wings, chutes, etc., should be constructed at convenient points to facilitate compliance with this regulation and each year an actual count will be made wherever possible, without serious interference with the proper handling of the stock.

Stock in Excess of Permit Number.

Slight discrepancies may be permitted from the number covered by permit when an exact count is impossible. When it is, a very slight excess in a large permit may be overlooked or a supplemental application for the excess required. When the excess is so great as to warrant the assumption that an attempt is being made to avoid payment of fees, the excess number may be denied entrance to the Forest.

Counting Report.

A report on stock counted (Form 874-18) will be sent to the supervisor as soon as practicable.

When Unnecessary.

Where the local Forest officers are in possession of reliable information that the number of stock being brought in by a permittee is not in excess of his permit number, counting may be dispensed with, especially if it involves a material expense to the Service.

Counting Sheep.

Sheep can be easily counted where there is a corral or where a wing can be readily constructed, and therefore should be counted each season as they enter the Forest or shortly afterwards.

Sheep in Excess of Permit Number.

Ordinarily an excess of 10 head per thousand may be ignored. If the range is heavily stocked any greater excess should be removed from the herd before it is allowed to enter. If the range is not heavily stocked, the excess number may be allowed to remain in the herd if the owner will immediately apply for a supplemental permit for the whole excess.

Counting Cattle and Horses.

Where cattle or horses are driven to Forest ranges from the feed lots or winter ranges, a count may be made at points of entry designated by the Forest officers. In many instances, however, the stock is either running loose or turned loose in the spring and naturally drifts onto the National Forest ranges. Where yearlong ranges are included the stock may never leave the Forest and seldom be rounded up.

In such cases the number of cattle or horses being grazed upon a National Forest range may be approximately determined in several ways. Stock may be counted in the feed lots where winter feeding is the rule, a count may be secured in a round-up, or close estimates may be made on the basis of range counts, branding tallies, or sales.

Feed-Lot Counts.

Counting in the feed lots can be done at a time when it will interfere little with a ranger's duties. The results are fairly accurate. If the number for which application is submitted is less than the number in the possession of the applicant at the time the count was made he may be required on entering the Forest to show what disposition has been made of the balance. An applicant who refuses to allow his stock to be counted in a feed lot may be required to arrange for a count before entering the Forest or to round-up at any time thereafter if the supervisor has reason to believe that the number being grazed is in excess of the permitted number.

Round-ups.

A count of a permittee's cattle on the range is a difficult and expensive matter. Where the cattle are wild and used to being rounded up only at stated periods, this action will be taken with all possible regard for the stockmen as well as the Forest. An unusual round-up costs money, causes a loss in the value of the stock, drifting from their ranges, and unnecessary damage to the range. Consequently such round-up counts should be avoided unless absolutely necessary and wherever possible the number ascertained by other methods.

Not Under Control of Forest Service.

Regular beef, calf, or general round-ups inaugurated by the stockmen themselves should in no way be under the control of the Forest Service. Every Forest officer should avoid arbitrary action in business matters of this kind, except when it is necessary in order to protect the interests of the Forest. Unless the force of Forest officers is sufficient to be with each party of riders all day or unless they have the full cooperation of the stockmen an accurate count of each permittee's stock can not be expected, but luckily the latter is often the case.

Duty of Forest Officers With Round-up.

Forest officers detailed to accompany a round-up will give first attention to their work which is to determine the numbers of permitted

stock. They should, however, help the stockmen where they can and avoid an unnecessary disregard of the authority of the person in charge of the work.

Calf Tally.

Under ordinary conditions of stock raising, four times the number of calves branded in an average year will approximate the total number of stock the owner has, from yearlings up. To illustrate, if a man brands 100 calves in a normal season it is probable that he has about 400 head of cattle, counting yearlings and beef on the range. The calf tally multiplied by 5 will give the approximate number of stock the owner will have on the range in the following year less the number of head sold or lost.

Sales Records.

The record of stock sold and slaughtered, which usually may be obtained from the State Sanitary Board and checked up by railroad records when the stock is shipped from railroad points, will furnish a close approximation of the number of stock a permittee is grazing provided he is not selling steers raised by other users of the range.

Range Estimates.

An estimate based upon the stock found upon a certain range is of little value unless it is made by two or more men simultaneously to make sure the same animals were not counted twice. A single ranger should not attempt a range count that will extend over more than one day unless he is certain that stock seen the first day will not stray upon the area to be worked the second.

Some animals are bound to be overlooked in a range count, therefore the estimate should be based upon the assumed ratio of the cattle seen and counted to the cattle on the range. This percentage will rarely be more than two-thirds, and may be half. If the count is based on the work of several men, it is possible to apply as a check the percentage of the calf crop that was overlooked on the round-up and subsequently range branded, but this of course is a suggestion only.

DAMAGE BY STOCK. (Reg. G-25.)

Stockmen may and should be required to repair all damage caused by the presence of their stock upon the Forest, but should not be called upon to make the repairs of damage not caused by their stock. It is entirely reasonable to require a permittee to clear a road or trail which has been filled with rocks by the passage of his stock, but it is not reasonable to ask him to repair roads or trails that were in poor condition before his stock entered the Forest. It is also reasonable to require the fencing and troughing of a spring or seep which has been damaged by the stock of the permittee. Otherwise the Service should undertake the improvement with the cooperation of the interested permittees if they can be persuaded to assist.

BEDDING SHEEP AND GOATS. (Reg. G-26.)

Prolonged Use of Bed Ground.

The prolonged use of one bed ground by a band of sheep is destructive to the range because the amount of forage tramped by a close-herded band of sheep is fully as great as the amount actually fed. Then, too, the sheep leave the bed ground hungry and eat a large

number of plants in the vicinity of the bed ground that ordinarily would escape destruction. Reestablishment of the forage thus destroyed is difficult if not impossible.

Maximum Period Six Days.

To reduce the damage to a minimum the bed ground should be changed every six days at least. Lambing ewes can not be moved every six days, and the interests of the range must in this instance be sacrificed in a measure to the needs of the sheep. Where no such exigency exists, and where the Government is not compensated for the damage (by the lambing charge), sheep must not be allowed to occupy one bed ground for more than six consecutive days.

Protection of Water Supplies.

The bedding of sheep within 300 yards of a stream or spring that is a source of water supply for a community or town must not be allowed under any circumstances.

DISPOSITION OF CARCASSES. (Reg. G-27.)

To prevent the pollution of water supply and the spread of disease among human beings, as well as live stock, this rule will be strictly enforced. The carcasses of animals dying from blackleg, anthrax, glanders, and other bacterial diseases scatter germs on the range when they decompose, and a healthy animal may contract the disease. Therefore such range losses will be materially reduced if all carcasses are burned.

SALTING STOCK. (Reg. G-28.)

Influence of Proper Salting in Range Management.

Salt and water are two important factors in distributing cattle and horses on the range. Stock will alternate between salt and water if the two are widely separated, and will consume as much range around a salt ground as around a water hole. For this reason the best results are secured by placing the salt on rocky points at some distance away from the water. The salt licks or troughs should be placed on ground of no value for other purposes.

Extent to Which Salting Should be Required.

Salting is required as a means of Forest protection, and the regulation should be enforced to as great an extent as the interests of the Forest demand. Otherwise it should be enforced only upon the request of a majority of the permittees or when the State laws require the salting of stock.

Action in Case of Refusal to Properly Salt Stock.

Ordinarily a person who refuses to salt his stock when requested to do so will be subject to a reduction in permit number during the following year. If his refusal is continued, and results in damage to the range, he may be denied further privileges. Obviously, where natural licks occur salting will be unnecessary.

Approximate Quantity of Salt Required.

Sheep will consume about a pound and a half of salt during a summer season. Deprived of salt they are harder to herd and more destructive to the range.

Cattle and horses will use approximately 2 pounds of salt per head per month from the time the green feed begins until midsummer and 1 pound per head per month during the remainder of the year. This quantity is in excess of that fed on most ranges, but experience has demonstrated that a liberal use of salt is a profitable investment. A lack of salt causes cattle to collect around old salt grounds and tramp out considerable range.

QUARANTINE AND LOCAL LAWS. (Reg. G-29.)

Enforcement of Quarantine Regulations.

Whenever the stock in any locality is known to be infected with a contagious disease, or notice to that effect has been given the Forester or district forester by the Bureau of Animal Industry, the owners of all stock to be grazed in National Forests must, if required to do so, subject the stock to inspection, and, if found necessary, have such stock dipped or otherwise treated before it is allowed to enter. At any time during the period for which a grazing permit has been issued, if the stock is found to be infected with a contagious disease, it must be dipped or otherwise treated in accordance with the instructions of the inspectors of the Bureau of Animal Industry, or the permit will be canceled and the stock removed from the National Forests.

Upon receipt from the Forester of a statement of quarantine or inspection work to be conducted by the Bureau of Animal Industry during the grazing season the district forester will communicate with the Bureau of Animal Industry district inspectors, requesting information regarding the quarantine or inspection regulations to be in force during the season, and the Forests to which they will apply.

When this information is received the supervisors concerned will be informed of the same and address of the district inspector in charge, and will be instructed regarding the regulations to be in force and to cooperate with the officers of the Bureau of Animal Industry, rendering them the necessary assistance and furnishing them with a list of the permittees, the dates upon which the stock will enter the Forest, and all other information required.

The same routine will be followed in regard to State quarantine regulations, unless they conflict with the regulations of the Bureau of Animal Industry.

The enforcement of Federal or State quarantine regulations will not be undertaken by the Forest Service except in cooperation with the Bureau of Animal Industry or State official in charge, and supervisors will in all cases be furnished with definite instructions for their guidance.

Upon receipt of requests for the enforcement of State or Federal quarantine regulations which conflict with Forest interests, or of requests from a State official which conflict with the regulations of the Bureau of Animal Industry, the district forester will endeavor to secure a modification. If this can not be secured, the matter will be submitted to the Forester for decision before final instructions are issued to supervisors.

Enforcement of Local Laws.

The owners of all stock grazed under permit must comply with the live-stock laws of the State, or their permits will be canceled.

Rangers should, when necessary, inform all persons of the local stock laws and endeavor to prevent their violation. If actual violation of

the law is discovered by the ranger, he will at once notify the proper State officer, if practicable, and report this action to the supervisor. If unable to communicate with the State officer, or if no action follows, he will give the facts to the supervisor, who will transmit them to the proper State authority. All officers of the Forest Service will assist the proper State or Territorial officials in the enforcement of all quarantine and live-stock laws, and will assist the stock owners to protect their property against loss by theft.

ERADICATION OF PREDATORY ANIMALS.

To Reduce Loss of Live Stock.

Whenever it is found that the stock interests are suffering on account of the ravages of wolves, cougars, coyotes, bobcats, or other predatory animals, a report should be made to the district forester, with recommendations for such action as is necessary to reduce their numbers.

Forest rangers and guards may be assigned to the work of hunting predatory animals for a limited time each year and will be furnished with necessary ammunition, poisons, and traps. If none are sufficiently experienced or can be spared for the work, professional hunters may be recommended by the supervisor for appointment as guards for such period as their services are required. The supervisor will check the progress and effect of each hunter's work by inspection and such periodic reports on Form 343 as he may require, and will initiate such action as is necessary for their transfer, furlough, or separation. The final results of the hunters' work will be reported to the district forester in the annual statistical report (July 15).

Recommendations for the appointment of guards or rangers to serve as hunters will be referred to Grazing which will signify approval of such appointments by a memorandum to Operation.

To Protect Game Animals From Extinction.

Forest guards and hunters appointed for the purpose of killing and trapping predatory animals may be assigned to work in portions of the Forest where such animals are known to be killing game in quantities. Rangers should be instructed to report instances of game killed by predatory animals.

Part 6. MISCELLANEOUS.

(Protection of game—Game and bird refuges—Stray or unbranded stock—Methods of range improvement—Reports—Grazing forms.)

PROTECTION OF GAME, FISH, AND BIRDS. (Reg. G-30.)

Wild game adds materially to the enjoyment of the National Forests by the public, and the preservation of game animals, birds, and fish is a public duty. This duty, however, rests primarily with the State. It is incumbent upon the Forest Service, under the act of May 23, 1908, to render all reasonable assistance in the protection of game within the National Forests, but the duty of enforcing the State game laws is one which the Service can not assume without the consent of the State and which the State can not impose upon forest officers without

the consent of the Forest Service. The Forest Service must be governed in its enforcement of the game laws by the attitude of the State officials. Furthermore, such assistance must be subordinated to the regular protective and administrative work of the Forest Service. In no instance will additional officers be employed for this purpose. Officers will not be retained for periods of the year during which they are not required for other duties or stationed in parts of Forests where they are not otherwise needed in order to protect game. The time spent and expenditures incurred must be limited to such as will cause no serious interference with regular work. Assistance in the enforcement of the game laws within the National Forests of each district, by members of the Forest Service, will be in accordance with definite instructions issued by the district forester, who in issuing such instructions will be governed by the following general statement of policy.

In States which have enacted adequate laws for the protection of game and where such laws are fully and conscientiously enforced by the State officers, the Forest Service will carry the work of enforcing the game laws to the highest point of efficiency attainable within the limitations specified above. To accomplish this the district forester may, at his discretion, agree with the proper State officers upon a definite plan of cooperation with stipulation of the conditions under which forest officers will accept appointments as deputy State game wardens, and will enforce the State laws through the arrest and prosecution of persons found to be violating such laws. Such a plan of cooperation should, if necessary, provide that the terms and conditions under which forest officers will act as deputy wardens will be stated definitely in the oaths of office to which forest officers subscribe. The point at which the work of game protection will be subordinated to the requirements of the Service should be definitely established. There should be a general understanding with reference to the circumstances under which a forest officer may not take cognizance of apparent violations of the game law, and it should be made clear that the forest officer will be expected to exercise the same tact and judgment in the enforcement of the game laws that he does in the enforcement of the National Forest regulations. Where the district forester and the State authorities have agreed upon such a plan of cooperation the men whose names the district forester has furnished to the State game warden with recommendation for their appointment as deputy game wardens will be required to accept the appointments and to enforce the game laws in strict accordance with the terms of the agreement unless they can furnish the district forester with satisfactory reasons why they should not be required to accept appointment or perform the duties of the office.

In States where the game laws are adequately enforced, but where no plan of cooperation has been agreed upon, each forest officer will be at liberty to accept or refuse appointment as a deputy game warden. It will, however, be the duty of each forest officer to report to the local authorities each case of violation of the game laws which may come to his attention and to furnish the local authorities with all information and assistance essential to the enforcement of the law, but not to make arrests or initiate prosecutions unless commissioned as deputy game warden.

In localities where State officers show little interest in game-law enforcement or fail to support forest officers who try to enforce the laws, it is out of the question for forest officers to take the brunt of a burden which belongs primarily to the State. Where a popular prejudice against the enforcement of the State's game laws is acquiesced in by the State's local officers the Forest Service will not undertake to enforce these game laws, for it could not enforce them if it tried, and the effort merely hampers the work of the Government in administering the Forests.

Fees and Bounties.

Forest officers are authorized to accept bounties offered and voluntarily paid by the State, counties, associations, or individuals for predatory animals killed, but must not accept any fees or parts of fines on account of enforcement of State game laws.

Interference by Live Stock.

In making range allotments the Supervisor should see that limited winter or summer feeding grounds, and in some cases breeding grounds, of elk, deer, antelope, mountain sheep, or mountain goat are not crowded with stock to the extent of driving the game from its natural range or of depriving it of winter feed upon which it is dependent. On adjoining Forests cooperation on the part of both supervisors may be necessary to accomplish this. In other cases, sheep may be excluded from limited areas to provide nesting places for game birds, such as pheasants, grouse, wild turkey, ptarmigan, or mountain quail. No arbitrary action should be taken which would cause hardship to stock owners. Wherever possible the owners affected should be consulted and induced if possible to agree to the proposed action.

Stocking Streams.

If the supervisor discovers that the number of game fish is materially decreasing in a stream, or that good streams or lakes exist in which there are no fish, he may report the fact to the district forester, who will take it up with the State authorities if they own or control hatcheries, or through the Forester with the United States Bureau of Fisheries, with a view to having fry sent the supervisor for stocking the waters of his Forest. Rare species in danger of extinction should be reported to the Forester for advice from the United States Bureau of Fisheries.

Inadequate or Conflicting State Laws.

If the supervisor finds that the local game laws are inadequate to protect the game or fish in his locality—for example, if the open season on deer allows hunting during the mating season or permits quail to be killed before the young are able to care for themselves—he should report to the district forester, who will bring it to the attention of the State warden.

Game extermination.

When any class of game on a Forest is in danger of extermination, the supervisor should investigate the matter as thoroughly as possible. If he considers that the emergency is serious or that peculiar conditions exist, he will make a preliminary report to the district forester requesting the detail of a representative of the Biological Survey to his Forest to conduct further investigations. If the district forester concurs, he will prepare a letter to the Chief of the Bureau of the

Biological Survey for the signature of the Forester requesting this cooperation.

GAME AND BIRD REFUGES.

Four Classes.

Four different classes of game and bird refuges may be included within the National Forests: National game refuges or areas in which the killing of game animals is prohibited by acts of Congress; National bird refuges or areas in which the killing of birds is prohibited by acts of Congress; State game preserves, or areas in which the killing of game is prohibited by the legislature of the State or Territory; and protected areas or areas closed to the grazing of all classes of stock in order to protect game in its natural feeding or breeding grounds, but where hunting is allowed by the State laws.

National Game Refuges.

National game refuges are created by specific acts of Congress for the purpose of preventing trespass upon public lands in order to protect game and birds. Within a National game refuge local game laws apply only on private, State, or Territorial lands.

Authority of Rangers.

The hunting, trapping, capturing, or killing of game animals upon a National game refuge in violation of any of the regulations for their protection prescribed by the Secretary of Agriculture under the authority of the statute creating it is a violation of the statute, and offenders will be tried in the United States district courts and not in the State or Territorial courts. Under authority granted by Congress, rangers are empowered to arrest persons violating National game refuge regulations.

Arrests.

In making arrests forest officers must be certain that the hunting, trapping, capturing, or killing of the game animals took place upon Government land within the limits of the National game refuge and not upon land in private, State, or Territorial ownership, and must be prepared to prove these facts before the United States commissioner and in subsequent court proceedings.

Game wardens.

When a game warden is appointed from the United States Civil Service list for a game preserve within a National Forest he may be designated as acting supervisor and be placed in charge of the Forest, but game wardens who are not placed in charge of a Forest will work under instructions from the supervisor the same as other forest officers.

National Bird Refuges.

National bird refuges have been created under authority of an act of Congress, by Executive proclamation or order. The hunting, trapping, capturing, willfully disturbing, or killing any bird of any kind whatever or taking the eggs of such birds on any lands of the United States within National bird refuges in violation of any of the regulations prescribed by the Secretary of Agriculture is a violation of the statute. Legal procedure and action on the part of forest officers in cases of violation of the regulations on National bird refuges will be the same as on National game refuges.

Lands within the bird refuges shall be administered by the Forest Service as other National Forest lands, but such special protective measures shall be adopted as may be necessary to carry out the purposes of the refuges.

The Chief of the Biological Survey will inform the Forester what special conditions he considers should be observed in each of the various refuges.

On the approval of any special conditions the Forester will inform the local forest officers thereof.

In case of violation of the regulations of the national bird refuges coming to the knowledge of forest officers, they will take prompt steps to procure prosecutions for such violations.

Notice to the public which the Chief of the Biological Survey may desire to have posted will be prepared in cooperation with the Forester, who will forward them to the proper local forest officers for posting.

The Chief of the Biological Survey and the Forester will cooperate in the selection of any additional areas within National Forests which may be desired for bird refuges.

State Game Preserves.

State game preserves are created by specific acts of the State or Territorial legislature for the purpose of protecting game animals. Such acts apply to all lands embraced within the described area including public lands of the United States, unless they conflict with acts of Congress. The killing of game in violation of the act creating a State game preserve is a violation of the State or Territorial laws, and offenders will be tried in the State or Territorial courts.

Authority of Rangers.

Forest officers have authority to arrest for violations of such laws only after they have been appointed State or Territorial game wardens, or have been given special authority by the State legislature.

Cooperation with State Game Warden.

When a State game preserve is established within a National Forest, the district forester will communicate with the State game warden, offering the cooperation of the Forest Service in the enforcement of any regulations for the protection of animals in the State Game Preserve. Upon receipt of a request from the State game warden that any special action be taken, the necessary instructions will be issued to the forest officers concerned.

If in the judgment of the district forester it is contrary to the best interests of the Forest to comply with the State game warden's request, he may refer the matter to the Forester.

Protected Areas.

Protected areas may be established by the Forester within the National Forests by the exclusion of live stock from limited areas which are the natural feeding or breeding grounds of game animals or birds. Since such areas must remain open to hunting under the State game law, an effort should be made to secure the cooperation of the State to prohibit the killing of game animals within protected areas.

Grazing Trespass on Protected Areas.

The boundaries of protected areas should be plainly marked with notices showing that the areas are closed to the grazing of certain or all classes of stock. The grazing of stock upon the area will be considered as grazing trespass. Forest officers having charge of districts within which there are protected areas will give them the most effective protection possible.

Designation of Men to Handle Game Protection.

All matters dealing with the protection of game on National Forests will be handled in the district offices by officers designated by the district forester and in Washington by officers designated by the Forester.

STRAY OR UNBRANDED STOCK.

The ownership of all stray or unbranded stock upon the National Forests will be determined by the laws of the State in which the Forest is located, and forest officers will be governed by such laws in the handling of stray or unbranded stock. Persons legally entitled to acquire title to stray or unbranded stock may be allowed to do so, but no permit or agreement should be granted or entered into by any forest officer which authorizes a charge to be made for the gathering of such stock or its sale by the person or persons who have gathered or captured it.

The owners of all branded animals which are captured with unbranded stock will be required to make application for permit and pay the grazing fees upon them. Stray or unbranded stock, if not claimed by persons entitled to it under the law, will be held, and the State authorities requested to take charge of it or authorize the forest officer to dispose of it in accordance with the State law.

Forest officers should not attempt to acquire title to stray or unbranded stock, or assume that its presence upon the Forest gives any right to its use, except when they are qualified under the law to acquire ownership of the stock.

The construction of corrals or pastures for use in capturing wild unbranded stock may be allowed under the rules governing other special uses of the National Forest.

Reimbursement for expenses incurred by forest officers in the capture or removal of unbranded stock from the National Forests, in excess of their ordinary expenses, may be allowed when the expenditure has been authorized by the district forester.

METHODS OF RANGE IMPROVEMENT.

Improvement of National Forest ranges may be effected in three ways:

- (1) Improved methods of handling stock.
- (2) Improvement of range by natural reseeding.
- (3) Improvement of range by artificial seeding.

Better Methods of Handling the Stock.

Sheep.—By careful experimental study it has been found that sheep unmolested in pasture require only from 65 to 80 per cent as much range as when herded in bands in the open. This is due to the difference in the actions of the sheep. In pasture they wander about

singly or in groups as cattle do, graze quietly, and bed in any opening where night overtakes them. Consequently, the forage is eaten instead of being destroyed, as it is on the range by close bunching, stampeding, and trailing back and forth to camp. The more nearly the former condition can be approached on National Forests the better for the range as well as for the sheep. Herders should be induced, wherever possible, to avoid quick massing with dogs, to bed the band where night overtakes it, and to leave a camp in good condition and return to it later rather than feeding it out to its full capacity in one visit.

Cattle.—Cattle have a tendency to congregate and graze in areas in the neighborhood of watering places and salt grounds. To offset this, new water holes may be developed and salt distributed at a distance from the water.

Goats.—Where goat herders maintain but one camp where the goats return to bed night after night as is the custom, the entire range about the camp is destroyed. Not only the grass and forage but the shrubs and even small trees are killed.

Where goats graze upon National Forest ranges they will not be allowed for more than six successive nights upon one bed ground except during the kidding season. If goat herders can be induced to handle their bands with a movable camp following the herd, the damage done could be greatly reduced and much of the objection to their presence on National Forests would be removed. The rapidity with which feeding goats move over a range is another injurious element. This may be prevented by the herder if he will hold the herd and force them to scatter and graze more openly.

Natural Reseeding.

One of the chief reasons for the slow recovery of impoverished ranges is the fact that the forage is usually grazed each year before the seed crop is mature. It has been found that a portion at least of each range can be protected until the seed of the most important forage species has matured and scattered with no serious inconvenience to the stockmen. The area that can be set aside for later grazing will depend upon the time at which the seed crop ripens. If, for example, one-fifth of the season remains after the seed has matured, one-fifth of the entire range allotment may be set aside for natural seeding each season.

After the seed has ripened, the reserved area may be grazed in the usual manner in order that the seed may be tramped into the ground. It is advisable to make the same reservation the following year in order to give the seedlings a chance to develop a strong root system.

Artificial Reseeding.

On ranges so severely overgrazed that the desirable forage species have been almost entirely destroyed and the lands are denuded, it is evident that artificial reseeding must be resorted to. When such work is undertaken two points must be remembered in selecting species for planting. First, the soil and moisture requirements of the plant itself and, second, the soil and climatic conditions of the area to be seeded. Redtop for example, should never be sown in dry soils, or even on meadows which may become dry in the latter part of the season. Smooth brome grass, which is one of the most drought-resistant species known, would in all probability not succeed in a moist locality.

Choice of Areas.

In reseeding with forage species which make a quick height growth or a heavy sod, care should be taken to insure against competition with the reproduction of tree species, where forest reproduction is possible. Therefore in such cases a species like orchard grass, which forms tussocks, may be used. Such grasses leave a portion of the soil exposed where the tree seed may start.

The areas selected for seeding experiments need not be large. For a single species an acre, or even half an acre, is ample. It is essential, however, that the area selected should be representative of the general conditions on the range in need of reseeding. In order to obtain reliable results, experiments will necessarily extend over a period of years. To insure a fair test the experimental plot, or at least a portion of it, should be fenced. A detailed record of the work should be kept by the officer responsible for the experiment and progress reports submitted at the close of each growing season. The accompanying Blank A will be filled out when the experiment is started, and Blank B used for progress reports.

Blank A.]

[To be made in duplicate.

REPORT ON.....

GRASS SEEDING STATION.....

NATIONAL FOREST.

Area.....

Strip No.....

(Designation on location post.)

Established....., 191...

Location.....

(By section, township, and range, if possible.)

Character of site:

Exposure.....

Slope.....

(Approximate degrees of incline.)

Altitude.....

Soil type.....

(Sandy, clay loam, gravelly loam, etc.)

Cover.....

(Trees, brush, grass—stating only most abundant species.)

Past history.....

(Cut over, grazed, burned—state when burning took place, if possible.)

Protection.....

(Fenced or merely protected by herding.)

Moisture.....

(Submoisture, precipitation, approximate annual rainfall and precipitation during the growing period.)

Species sown singly.....

Species sown to a mixture.....

Source of seed.....

(Good, average, poor, germination test.)

Quantity of each species of seed per acre.....

Preparation of the soil.....

(Plowed, harrowed, brushed, tramped in, etc.)

Method of sowing.....

(Broadcasted or drilled in.)

Was seed well covered?.....

Cost of ranger labor.....

Cost of outside labor.....

Total cost of sowing per acre, including seed.....

(Signature.)

(Title.)

Date of report....., 191...

Blank B.]

[To be made in duplicate.

PROGRESS REPORT ON.....
 GRASS SEEDING STATION.....
 NATIONAL FOREST.

(To be submitted July 1 and October 1.)

....., 191..
 Area..... Strip No.

Established....., 191..

Location.....

 (Time since seeding.)

.....
 (Time of germination.)

.....
 (Are any dormant seed found?)

Density of stand.....
 (Approximate number of seedlings per square yard.)

.....
 (Is stand uniform?)

Species predominating.....
 (If seed was of but one source, this need not be filled in.)

Soil moisture at this time.....

Light conditions and competition.....
 (State if weeds and native species are overshadowing and crowding out seedlings.)

Root development.....
 (Note depth and spread.)

Would seedlings be pulled out of ground if grazed?.....

Approximate precipitation since seeding.....
 (Climatology, considered favorable or unfavorable.)

Height growth.....
 (Average length of blades and entire plant.)

Protection.....
 (If grazed, to what extent and by what class of stock.)

Loss of seedlings due to grazing.....

Remarks.....
 (If experiment is failure, show cause; if it has any noticeable drawbacks, note them.)

.....
 (Suggestions for improvement in continuing the experiment.)

.....
 (Reference to special letters written concerning improving the experiment.)

.....
 (Signature.)

.....
 (Title.)

Date of report....., 191..

Spring Versus Fall Seeding.

The time of sowing and the subsequent treatment is quite as important as the selection of the species. In nearly all localities (notable exceptions being marshy meadows and swales, where the seed is liable to decay) fall seeding is usually much more successful than sowing done in the spring. In fall seeding the ground can be worked more satisfactorily, which materially increases the per cent of germination and the seed coat, being thoroughly soaked and softened by the soil moisture, germinates as soon as the temperature becomes favorable. This results in the formation of a deep root system and better chances of survival through a later drought period, since seed sown in the spring germinates later, the resulting stand being relatively low, and a high per cent of loss follows when the surface layer of soil dries out.

REPORTS.**Rangers to Supervisors.**

Forest rangers will make quarterly reports on the condition of the stock and the range under their charge in accordance with the outline on Form 658, when 50 per cent or more of the permits on the grazing district are yearlong. If less, these reports will be made on June 30 and September 30.

In the report for the quarter ending September 30 rangers will include the approximate number of stock grazed free under the 10-head exemption. (See "Stock exempt from permit," p. 37.)

Mortality Reports.

The supervisor may require from each ranger with the quarterly report, or oftener if necessary, a report on stock mortality covering the number of animals of each class discovered on the district during the period covered by the report dead of disease, accident, wild animals, poisonous plants, and starvation. The disposition of the carcass should be noted in each case.

Counting Report.

Rangers or guards counting stock entering the Forest will report to the supervisor on Form 874-18 as soon as possible after each count.

Grazing Capacity of Private Lands.

Permits issued under regulation G-7 should be based upon a field estimate of the grazing capacity of the lands involved. Private lands within a ranger's district may be examined when the application is made, or in advance of application at any time an opportunity occurs. Reports will be made on Form 251.

Hunters' Reports.

When required by the supervisor, officers employed as hunters will submit a report (Form 343) showing the work accomplished since the last report.

GRAZING CHAPTER, SUPERVISOR'S ANNUAL FOREST PLAN.

The grazing chapter of the Supervisor's Annual Forest plan should be prepared immediately after the close of the grazing season and submitted in duplicate to the district forester not later than December 1. For detailed outline of data to be reported see instructions (Authorizations. Reg. G-1), page 23.

GRAZING SECTION—SUPERVISOR'S ANNUAL STATISTICAL REPORT.

A report on the printed form in accordance with the instructions thereon, giving the required data and information on the following subjects: Grazing permit; Classification of permits; Crossing permits and permits on account of private land; Predatory animals killed.

This report is due with the district forester on July 15, and will cover the preceding fiscal year.

When this report is compiled, the record cards (Form 621) for permits issued since July 1 of the preceding year and for the current grazing year may be checked with a blue pencil in the "Number applied for" column.

When the data is prepared for the classification of permits by grades, the record cards may be checked as above with a red pencil.

After the annual statistical report has been prepared the record cards for the previous grazing year will be transferred to the closed files.

DISTRICT FORESTER'S REPORT.

Annual District Plan.

Upon receipt of the supervisor's grazing chapter the district office of grazing will take the action outlined under "Preparation of allowance letter," page 24.

Statistical Report.

On receipt of all the Forest statistical reports the district forester will compile the data for the district showing the information by Forests and mail to the Forester not later than August 15.

GRAZING FORMS.

Form 879
(Revised Nov. 9, 1912)

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE

APPLICATION FOR GRAZING PERMIT

.....
(Date.)

I,, of
(Place of residence.)

do hereby make application for permit to graze head of cattle,
(Number.) (Number.)

head of horses, head of sheep, and head of
(Number.) (Number.) (Kind of stock.)

upon lands of the United States within the National Forest,
from, 191 , to, 191 , and also.....

.....
(Lambing specified number of ewes included in aforesaid sheep, or other additional use.)

My marks and brands are as follows:

Brands—

Earmark—



(Right.) (Left.)

It is my desire to graze the said animals upon that part of the Forest described as follows:

.....
.....
.....

Provided, That they shall not intrude upon any areas upon which grazing is prohibited.

I do hereby certify that—

1. This application is made for my own exclusive use and benefit, and not directly or indirectly for the use of any other person.

2. My home ranch is located in
(Give location by township, range, or section, if surveyed.)

3. I own acres of improved farming land upon which hay or grain is
(Number.)

NOTE.—Animals under 6 months old at the time of entry which are the natural increase of stock grazed under permit will not be counted.

(OVER.)

raised, and also.....acres of summer grazing land, and.....acres of
(Number.) (Number.)

winter grazing land, located in the counties of.....
.....

*4. I now actually own.....head of.....and.....
(Number.) (Kind of stock.) (Number.)
head of.....
(Kind of stock.)

5. My.....are ranged, during the winter season, on
(Kind or kinds of stock.)
.....
(Give township, range, and section, if range is owned or leased by applicant. If on public range, so state.)
.....
(If stock is fed, give location of ranch and amount of hay used.)

6. I have regularly used range now in the.....National Forest
during the past.....years and grazed.....head of.....
(Number.) (Number.) (Kind of stock.)
and.....head of.....on said Forest during the past season,
(Number.) (Kind of stock.)
from....., to.....
(Date.) (Date.)

7. I have not made application for a grazing permit in any other National Forest,
except as follows:.....

If this application is granted, in whole or in part, I do hereby agree to deposit the
amount due for grazing fees to the credit of the Forest Service in the U. S. Depository
designated by the letter of transmittal.

I also hereby bind myself and my employees engaged in caring for the animals
while on the Forest to extinguish all camp fires started by myself or any of my em-
ployees before leaving the vicinity thereof, and to render all reasonable aid in extin-
guishing forest fires within the district in which the stock is grazed, such service to
be without compensation if required to protect the grazing area allotted to me and
described in my grazing permit, but at the prevailing rate of compensation if other-
wise.

I also hereby agree that I will allow my stock to graze only upon lands of the United
States within the areas specified in the permit, that I will obey and support all the
laws and regulations governing National Forests, and that I will pay for all damage
sustained by the United States through any violation, by myself or my employees,
of such laws or regulations, or of the terms hereof or of the permit issued upon this
application.

I also agree to forfeit the permit whenever the National Forest for any reason ceases
to exist, or for a violation of the National Forest regulations now or hereafter adopted
or of any of the terms hereof, or of the terms of the permit issued hereupon, or when-
ever any injury is being done to the Forest by reason of the presence of the animals
therein.

Approved....., 191 ,
(Date of approval.)
.....
(Signature of applicant.)
for.....cattle,.....horses,
(Number.) (Number.)
.....sheep.
(Number.) (Post-office address.)
.....
(Signature of forest officer.)
.....
(Title.)

*In the first application this clause must show the total number of stock owned, but in subsequent
applications ownership of the number applied for only need be shown.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
APPLICATION FOR GRAZING PERMIT, FIVE-YEAR PERIOD

No. (Date.)

I,, of
(Place of residence.)

do hereby make application for permit to graze head of cattle,
(Number.) (Number.)

head of horses, head of sheep, and head of
(Number.) (Number.) (Kind of stock.)

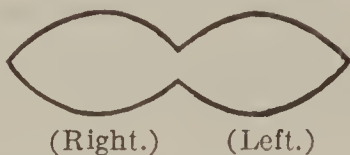
upon lands of the United States within the National Forest,
from to, for a period of five years, begin-
ning, 191..., and also the privilege of

.....
(Lambing specified number of ewes included in aforesaid sheep, or other additional privilege.)

My marks and brands are as follows:

Brands—

Earmark—



It is my desire to graze the said animals upon that part of the Forest described as follows:

.....
.....
.....

Provided, That they shall not intrude upon any areas upon which grazing is prohibited.

I do hereby certify that—

1. This application is made for my own exclusive use and benefit, and not directly or indirectly for the use of any other person.

2. My home ranch is located in
(Give location by township, range, or section, if surveyed.)

.....
3. I own acres of improved farming land upon which hay or grain is
(Number.)

NOTE.—Animals under six months old at the time of entry which are the natural increase of stock grazed under permit will not be counted.

(OVER.)

raised, and also acres of summer grazing land, and acres of
(Number.) (Number.)

winter grazing land, located in the counties of
.....

4. I now actually own head of and
(Number.) (Kind of stock.) (Number.)
head of
(Kind of stock.)

5. My are ranged, during the winter season, on
(Kind or kinds of stock.)
.....
(Give township, range, and section, if range is owned or leased by applicant. If on public range, so state.)
.....
(If stock is fed, give location of ranch and amount of hay used.)

I have not made application for a grazing permit in any other National Forest, except as follows:

.....
If this application is granted, in whole or in part, I do hereby agree to pay to the National Bank of (U. S. Depository), or such other depository or officers as shall hereafter be duly designated by the United States, to be placed to the credit of the Treasurer of the United States, the amount due for grazing fees for a period of five years annually in advance at the regular rate fixed each year for the said National Forest on the full number of animals for which my application is approved, and to use the range each year unless the Forest Supervisor agrees that it should be given a rest.

I also agree that the annual permits issued to me shall not be transferable, but it is agreed that if the stock is sold a permit may be issued to the purchaser allowing him to continue grazing it on the National Forest range until the expiration of the annual period for which the fees have been paid.

I also hereby bind myself and my employees engaged in caring for the animals while on the Forest to extinguish all camp fires started by myself or any of my employees before leaving the vicinity thereof, and to render all reasonable aid in extinguishing forest fires within the district in which the stock is grazed.

I also hereby agree that I will allow my stock to graze only upon lands of the United States within the areas specified in the permit; that I will obey and support all the laws and regulations governing National Forests; and that I will pay for all damage sustained by the United States, through any violation, by myself or my employees, of such laws or regulations, or of the terms hereof, or of the permit issued upon this application.

I also agree to forfeit the permit whenever the National Forest for any reason ceases to exist, or for a violation of the National Forest regulations now or hereafter adopted, or of any of the terms hereof, or of the terms of the permit issued hereupon, or whenever any injury is being done to the Forest by reason of the presence of the animals therein.

Approved....., 191 ,
(Date of approval.)

.....
(Signature of applicant.)

for.....cattle,horses,
(Number.) (Number.)

.....
(Post-office address.)

.....sheep.
(Number.)

.....
(Signature of Forest officer.)

.....
(Title.)

POSTAL CARD NOTICES

Form 153

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

....., 191

M.....

DEAR SIR:

Applications for permits to graze.....
on the.....National Forest during the season
of 191 must be filed in my office on or before.....,
191 .

Application blanks and full information in regard to grazing periods
and fees to be charged may be had upon request.

.....
Supervisor.

Form 303

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

....., 191

DEAR SIR:

Your application for a grazing permit on the.....
National Forest is received, and you will be notified of the action taken
in due time.

Very truly yours,

.....
Supervisor.

SEE OTHER SIDE FOR INSTRUCTIONS—READ CAREFULLY

Payment must be made before beginning of the grazing period

THE NATIONAL BANK, 191..
United States Depository,
.....

There is inclosed herewith a (1) {Money order
Draft} for
..... dollars,
drawn payable to your order, to be placed to the credit of the TREASURER OF THE
UNITED STATES. This deposit is on account of an application dated,
191..., for a permit to graze head of, head of
..... head of, upon lands of the United States within the
..... National Forest, which has been approved for head
of, head of, head of,
.....
the stock to be allowed in District No.
.....
from, 191..., to, 191...,

(2).....
(Signature of payer)

(3).....
(Post office)

.....
(Case designation.) (Supervisor)

.....
(Name)

Deposit on account of grazing permit,
..... National Forest.
\$.....

[Reverse side—Form 861 G] INFORMATION FOR PERSONS MAKING PAYMENTS

Indicate in the space marked (1) the character of your remittance, in (2) your name, and in (3) the address to which you wish the receipt sent. Failure on your part to make payments in the following manner will delay business: Make payments by *postal* or *express money orders* or by *National Bank drafts*, DRAWN PAYABLE TO THE NATIONAL BANK. DO NOT SEND PERSONAL LOCAL CHECKS. Send payment with the copy of this form furnished you by the Forest officer to The National Bank,

INSTRUCTIONS TO FOREST OFFICERS

Furnish this form to persons making payments for grazing permits. Enter in the spaces provided the amount of the remittance, date of application, number and kind of stock permit is applied for, number application is approved for, district stock will be grazed upon, and period during which grazing will be allowed. Send a duplicate copy to the District Forester and file a triplicate copy with the other papers in the case. Do not use this form for any payments except those on account of grazing permits.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

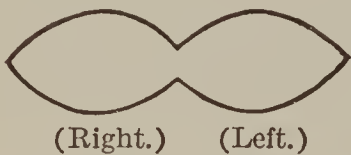
GRAZING PERMIT

(This permit is not transferable.)

.....
(Date.)

M....., of, having paid
(Name) (Place of residence.)
to the National Bank of (U. S. Depository)
the grazing fee amounting to the sum of dollars (\$.....), is
hereby authorized to pasture the following number and class of live stock:

..... head of
and head of
branded or earmarked as follows:



upon lands of the United States within the National Forest
from, 191.., to, 191..;

Provided, That the animals shall not intrude upon any area upon which grazing is
prohibited, nor upon any portion of the National Forest except the following-described
area:

.....
.....
.....
.....
This permit is issued in consideration of the promises and agreements made by said
..... in his application No., dated, 191...

This permit is issued with no obligation or agreement on the part of the Government
to maintain an exclusive possession upon any part of said Forest to any one person or
firm, nor as to adjustment of any conflict as to possession.

For a violation of any of the terms of the application on which it is based, or when-
ever any injury is being done the Forest by reason of the presence of the animals
therein, this permit will be canceled and the animals will be removed from the
Forest.

.....
Supervisor.

NOTE.—Animals under six months old at the time of entry, which are the natural increase of stock grazed
under permit, will not be counted.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

APPLICATION FOR PERMIT ON ACCOUNT OF PRIVATE LAND

....., 191...
I,, of
being the owner, or lessee, of lands described as follows:
.....
.....
.....
.....
.....

and located within the..... National Forest,
do hereby agree to allow the free and unrestricted use of the said private lands by all
stock permitted to graze on the adjoining National Forest lands, provided that in
exchange for such use of the said private lands, I am permitted to graze.....
head of.....and.....head of.....upon lands
(Kind of stock.) (Number.) (Kind of stock.) (Number.)
of the United States described as follows:
.....
.....

within the said Forest, from....., to.....
(Date.) (Date.)
during which period the said private land will adequately support the number of
stock above mentioned.

I hereby bind myself and my employees engaged in caring for the animals while on
the Forest to extinguish all camp fires started by myself or any of my employees before
leaving the vicinity thereof, and to render all reasonable aid in extinguishing forest
fires, such service to be without compensation if required to protect the area embraced
in the permit, but at the prevailing rate of compensation if otherwise.

I also hereby agree that I will allow my stock to graze only upon the areas specified
in the permit, and that I will obey and support all the laws and regulations governing
National Forests.

I also agree that the permit shall become null and void whenever the National
Forest for any reason ceases to exist, or for a violation of the National Forest regula-
tions now or hereafter adopted or of any of the terms hereof, or whenever an injury
is being done to the Forest by reason of the presence of the animals therein. I also
agree that during the period the permit is effective I will not allow the use of the
above described private lands by any stock other than those permitted to graze upon
the adjoining National Forest lands.

Approved....., 191...
(Date of approval.)

.....
(Signature of applicant.)

.....
(Signature of approving officer.)

.....
(Post-office address.)

.....
(Title.)

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

WAIVER OF GRAZING PRIVILEGE

THIS MEMORANDUM witnesseth that:

WHEREAS the undersigned,, under date
of....., received from the United States Depart-
ment of Agriculture, Forest Service, a permit to graze.....head
of.....upon the.....National Forest; and

WHEREAS such permit is understood to carry with it, in the discretion of the Forester,
subject to necessary reduction, and upon the request of the permittee, a continuation
of such privilege from year to year; and

WHEREAS the said undersigned,, has sold
to....., of.....
.....head of.....; and.....
.....
.....
.....

NOW, THEREFORE, the undersigned,
does hereby surrender unto the United States all privileges whatsoever allowed under
the aforesaid permit and any such further continuance of the privileges thereunder
as may be carried by the issuance of the said permit; and further, the said undersigned,
....., does stipulate that.....will not
at any future time apply for a renewal of the said permit as to the.....head
of.....sold as aforesaid.

Executed this.....day of....., 191..

Witness:

